

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 5686. A bill to provide for payments to counties to reimburse them for loss of tax receipts on account of certain land acquired for use by the United States; to the Committee on Public Lands.

By Mr. HOLIFIELD:

H. R. 5687. A bill to provide for the return to the State of California of certain original documents and maps, known as the Spanish-Mexican land-grant papers, deposited in the National Archives; to the Committee on Post Office and Civil Service.

By Mr. MAGEE:

H. J. Res. 311. Joint resolution establishing a commission to select a site and design for a memorial to the contributions of members of all religious faiths to American military and naval history; to the Committee on House Administration.

By Mr. RODINO:

H. J. Res. 312. Joint resolution establishing a commission to select a site and design for a memorial to the contributions of members of all religious faiths to American military and naval history; to the Committee on House Administration.

By Mr. HOLIFIELD:

H. Con. Res. 105. Concurrent resolution to seek development of the United Nations into a world federation; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California relative to the package sale of alcoholic beverages on military and naval reservations; to the Committee on Armed Services.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. WEICHEL:

H. R. 5688. A bill for the relief of Mr. and Mrs. Gleneth J. Spencer; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1319. By Mr. WHITE of California: Petition of Assembly and Senate of the State of California relative to sale of alcoholic beverages on military and naval reservations; to the Committee on Armed Services.

1320. Also, memorial of Assembly and Senate of the State of California regarding regulation of speedboats on Lake Tahoe; to the Committee on Merchant Marine and Fisheries.

1321. Also, memorial of Assembly and the Senate of the State of California, to grant equal benefits to veterans in the postal service of the United States; to the Committee on Post Office and Civil Service.

1322. Also, memorial of Assembly and Senate of the State of California, for securing funds from the Federal Security Agency to pay for an adequate annual audit of the department of employment; to the Committee on Ways and Means.

1323. By Mr. YATES: Petition of David Nordenmalm, Chicago, Ill., requesting consideration of the Townsend plan for old-age

pensions; to the Committee on Ways and Means.

1324. By the SPEAKER: Petition of Philip P. Costello, city clerk, city of Perth Amboy, N. J., relative to requesting the enactment of laws establishing a work program to provide jobs for the needy and distressed unemployed; to the Committee on Public Works.

1325. Also, petition of National Student YMCA and YWCA, Topeka, Kans., relative to stating their opposition to legislation that would dictate to educators the textbooks and other types of educational materials that can be used in the public schools and institutions of higher learning in the United States; to the Committee on Education and Labor.

1326. Also, petition of Honolulu Japanese Chamber of Commerce, Honolulu, T. H., relative to stating their support of the American form of democratic government and denouncing the Communist Party of Hawaii and the United States; to the Committee on Un-American Activities.

1327. Also, petition of Chairman, Korean National Assembly, Seoul, Korea, relative to expressing their thanks for the military assistance rendered by the United States during the last 4 years, and requesting financial assistance as proposed by President Truman; to the Committee on Foreign Affairs.

1328. Also, petition of William Waelke and others, Jefferson, Mo., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1329. Also, petition of Mrs. Emily Chapin and others, St. Petersburg, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

## SENATE

WEDNESDAY, JULY 20, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met, in executive session, at 12 o'clock meridian, on the expiration of the recess.

Rev. R. Orman Roberts, D. D., Temple Methodist Church, San Francisco, Calif., offered the following prayer:

As the hart panteth after the water brooks, so panteth our souls after Thee, O God. Thou hast made us for Thyself, and we are restless until we find our rest in Thee.

The perplexing problems, the demands on body, mind, and spirit, the turmoil and strife of our days would cause us to echo the words of the ancient psalmist, "Why art Thou cast down, O my soul, and why art Thou disquieted within me?" But we are grateful, our Father, that as we find our rest in Thee we can know, like the psalmist, that Thou art the health of our countenance, and our God.

So, Lord, drop Thy still dews of quietness 'til all our strivings cease; take from our souls the strain and stress, and let our ordered lives confess the beauty of Thy peace. In the dear Redeemer's name we pray. Amen.

## THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 19, 1949, was dispensed with.

## CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hill	Morse
Anderson	Hoey	Mundt
Baldwin	Holland	Murray
Brewster	Humphrey	Myers
Bricker	Hunt	Neely
Bridges	Ives	O'Connor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Reed
Capehart	Johnston, S. C.	Robertson
Chapman	Kefauver	Russell
Chavez	Kerr	Saltonstall
Connally	Knowland	Schoeppel
Cordon	Langer	Smith, Maine
Donnell	Lodge	Smith, N. J.
Dulles	Long	Sparkman
Eastland	Lucas	Stennis
Eaton	McCarran	Taft
Flanders	McCarthy	Taylor
Frear	McClellan	Thomas, Okla.
Fulbright	McFarland	Thomas, Utah
George	McKellar	Thye
Gillette	McMahon	Tobey
Graham	Magnuson	Vandenberg
Green	Malone	Watkins
Gurney	Martin	Wherry
Hayden	Maybank	Wiley
Hendrickson	Millikin	Withers
Hickenlooper		Young

Mr. MYERS. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Rhode Island [Mr. McGRATH], the Senator from Idaho [Mr. MILLER], and the Senator from Maryland [Mr. TYDINGS] are detained on official business in meetings of committees of the Senate.

The Senator from Louisiana [Mr. ELLENDER] is absent by leave of the Senate on official business, having been appointed an adviser to the delegation of the United States of America to the Second World Health Organization Assembly, meeting at Rome, Italy.

Mr. SALTONSTALL. I announce that the Senator from Delaware [Mr. WILLIAMS] is absent on official business.

The VICE PRESIDENT. A quorum is present.

## EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

THE NORTH ATLANTIC TREATY—  
DECLARATION

Mr. WHERRY (for himself, Mr. TAFT, and Mr. WATKINS) submitted a declaration, intended to be proposed by them, jointly, to the resolution of ratification of the North Atlantic Treaty, signed at Washington on April 4, 1949 (Ex. L., 81st Cong., 1st sess.), which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

At the end of the resolution of ratification, insert the following:

"The United States of America ratifies this treaty with the understanding that article 3 commits none of the parties thereto, morally or legally, to furnish or supply arms,

armaments, military, naval, or air equipment or military, naval, or air supplies to any other party or parties to this treaty."

#### FEDERAL COMMUNICATIONS COMMISSION—NOMINATION OF EDWARD MOUNT WEBSTER

Mr. McFARLAND. Mr. President, I ask unanimous consent for the present consideration of the nomination of Edward Mount Webster to be a member of the Federal Communications Commission.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Frank Murphy, late Associate Justice of the Supreme Court of the United States.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5327. An act to continue until the close of June 30, 1950, the suspension of duties and import taxes on metal scrap, and for other purposes; and

H. R. 5332. An act to amend section 3 of the act of June 18, 1934, relating to the establishment of foreign-trade zones.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 255. An act to amend section 205 of the Interstate Commerce Act, relating to joint boards;

S. 937. An act to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States;

S. 1279. An act to amend the Federal Airport Act so as to provide that minimum rates of wages need be specified only in contracts in excess of \$2,000;

S. 1280. An act to amend the Federal Airport Act so as to limit to 10 percent any increase of the amount stated as a maximum obligation under a grant agreement;

S. 1639. An act to amend section 1452, Revised Statutes, relating to Presidential action on the proceedings and decisions of Navy retiring boards; and

H. R. 3901. An act to increase the salaries of the judges of the Municipal Court of Appeals for the District of Columbia and the Municipal Court for the District of Columbia.

#### TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Members of the Senate be permitted to introduce bills and joint resolutions, offer petitions and memorials, and submit routine matters for the RECORD, as though the Senate were in the morning hour, and without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

#### EVALUATION AND WAIVER OF COLLECTION OF CERTAIN FINANCIAL ASSISTANCE LOANS

A letter from the Secretary of State, transmitting a draft of proposed legislation to authorize the Secretary of State to evaluate and to waive collection of certain financial assistance loans, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

#### TEMPORARY AID TO AND REPATRIATION OF CERTAIN UNITED STATES NATIONALS IN FOREIGN COUNTRIES

A letter from the Secretary of State, transmitting a draft of proposed legislation to authorize temporary aid to and repatriation of needy nationals of the United States in foreign countries, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

#### AUTHORIZATION FOR CERTAIN PERSONS TO ACCEPT AND WEAR DECORATIONS FROM FOREIGN COUNTRIES

A letter from the Secretary of State, transmitting, pursuant to law, a report on retired officers or employees of the United States for whom the Department of State is holding decorations, orders, medals, or presents tendered them by foreign governments, and recommending legislation to authorize certain retired officers or employees of the United States to accept and wear certain decorations bestowed upon them by certain foreign countries (with an accompanying paper); to the Committee on Foreign Relations.

#### COMPENSATION FROM DUAL EMPLOYMENTS UNDER THE UNITED STATES

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation to simplify and consolidate the laws relating to the receipt of compensation from dual employments under the United States, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

#### REPORT OF ACTIVITIES AND TRANSACTIONS UNDER MERCHANT SHIP SALES ACT OF 1946

A letter from the Chairman of the Maritime Commission, transmitting, pursuant to law, the quarterly report of that Commission on the activities and transactions under the Merchant Ship Sales Act of 1946, for the period March 31, 1949, through June 30, 1949 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

#### REPORT ON CERTAIN PHASES OF NATIONAL SERVICE LIFE INSURANCE ACT AND FUND

A letter from the Comptroller General of the United States, transmitting, for the information of the Senate, a report with respect to certain phases of the National Service Life Insurance Act and the National Service Life Insurance Fund (with an accompanying report); to the Committee on Finance.

#### REPORT ON NUMBER OF PROFESSORS AND INSTRUCTORS AND THEIR SALARIES, UNITED STATES NAVAL POSTGRADUATE SCHOOL

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, on the number of professors and instructors and the amount of compensation for each at the United States Naval Postgraduate School; to the Committee on Armed Services.

#### INTERNAL SECURITY OF THE UNITED STATES

A letter from the Attorney General, urging the early enactment of the bill (S. 595) relating to the internal security of the United States; to the Committee on the Judiciary.

#### INTERNATIONAL WHEAT AGREEMENT

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to give effect to the international wheat agreement signed by the United States and other countries relating to the stabilization of supplies and prices in the international wheat market (with an accompanying paper); to the Committee on Agriculture and Forestry.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

#### By the VICE PRESIDENT:

The petition of the Central Florida Townsend Clubs, comprising the Fifth Congressional District in the State of Florida, praying for the enactment of the so-called Townsend plan, providing old-age assistance; to the Committee on Finance.

Resolutions adopted by the Gibson County (Ind.) Bar Association, of Princeton, Ind., favoring the appointment of Judge A. Dale Eby, of Princeton, to be judge of the United States Circuit Court of Appeals for the Seventh Circuit; to the Committee on the Judiciary.

A resolution adopted by the Honolulu (T. H.) Japanese Chamber of Commerce, relating to communism; to the Committee on the Judiciary.

A resolution adopted by the Watertown (Mass.) Council, No. 155, Knights of Columbus, relating to the unification of all the counties of Ireland; to the Committee on Foreign Relations.

A resolution adopted by the Democratic Executive Committee of Lincoln County, Miss., relating to the rights of the States to govern themselves without interference by the Federal Government; to the Committee on the Judiciary.

A letter from Representative HARRY R. SHEPPARD, chairman of the California congressional delegation, enclosing a statement by him, and a resolution adopted by the delegation, affirming its unqualified opposition to the central Arizona project, and its unanimous support of legislation designed to bring the entire question of water rights on the Colorado River to the Supreme Court of the United States for decision (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Commonwealth of Kentucky Department of Aeronautics, Frankfort, Ky., signed by Charles H. Gartrell, Commissioner, enclosing a portion of a resolution adopted at an aviation forum under the auspices of that department, protesting against anyone, except the issuing Federal agency having the authority to pick up the Federal certificate of any airman; to the Committee on Interstate and Foreign Commerce.

A letter in the nature of a memorial from the Daughters of Isabella, Kentucky State Circle, Owensboro, Ky., remonstrating against the enactment of the so-called Barden bill, providing Federal aid to education; to the Committee on Labor and Public Welfare.

A resolution adopted by the Blessed Martin Interracial Group of Philadelphia, Pa., relating to the use of Federal funds for non-public school children; to the Committee on Labor and Public Welfare.

Resolutions adopted by the Cumberland County (N. J.) Medical Society; the Iowa State Dental Hygienists Association; the Mahoning County (Ohio) Chapter of the Academy of General Practice, and the San Diego County (Calif.) Dental Hygienists Association, protesting against the enactment of legislation providing compulsory health insurance; to the Committee on Labor and Public Welfare.



Petitions of sundry veterans enrolled at the Texas Trade School, Texarkana, Tex.; the Rapids Parish Trade Institute, and the Alexandria Trade School, both of Alexandria, La., and the New Mexico Trade School, Albuquerque, N. Mex., praying for the enactment of House bill 1966 and Senate bill 1150, establishing a procedure by which the Administrator may assure veterans full educational and training opportunities commensurate with the tuition charges by educational and training institutions; to the Committee on Labor and Public Welfare.

A resolution adopted by the Rocky Mountain region of the national student YMCA and YWCA, assembled at Estes Park, Colo., relating to academic freedom; to the Committee on Labor and Public Welfare.

A memorial of sundry veterans, employees of the Veterans' Administration, regional office, Cincinnati, Ohio, remonstrating against the enactment of legislation to deprive the veteran of certain employment rights and privileges heretofore granted by the Congress; to the Committee on Post Office and Civil Service.

A letter in the nature of a petition from the National Council of Jewish Women, Inc., of New York, N. Y., signed by Mrs. Mildred G. Welt, national president, relating to appropriations for the European recovery program; ordered to lie on the table.

#### PARTICIPATION IN FEDERAL WORKS PROGRAM BY CITY OF NEW KENSINGTON, PA.

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a letter from L. G. Heinle, city clerk of New Kensington, Pa., embodying a resolution adopted by the City Council of New Kensington, Pa., relating to participation by that city in any Federal works program.

There being no objection, the letter was referred to the Committee on Public Works and ordered to be printed in the RECORD, as follows:

CITY OF NEW KENSINGTON,  
New Kensington, Pa., July 13, 1949.

HON. FRANCIS MYERS,  
United States Senator,  
Washington, D. C.

DEAR SENATOR MYERS: I hereby certify that the following resolution was adopted at a special meeting of city council held July 12, 1949, and that this is a true and correct copy of the resolution as contained in the minute book for the above-mentioned meeting:

"Resolved by the Council of the City of New Kensington, That the city will participate in any Federal works program enacted by Congress, also any public housing and slum-clearance programs planned by the State or Federal Government; and be it further

"Resolved, That certified copies of this resolution properly authenticated be sent forthwith to United States Senators FRANCIS MYERS and EDWARD MARTIN and Congressman AUGUSTINE B. KELLEY."

L. G. HEINLE,  
City Clerk.

#### AID TO ECONOMICALLY DISTRESSED AREAS

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a letter addressed to me from Erminio J. Cefalo, president, Junior Chamber of Commerce of Greater Pittston, Pa., together with a letter from Mr. Cefalo to Hon. Charles Sawyer, Secretary of

Commerce, Washington, D. C., relating to aid to economically distressed areas.

There being no objection, the letters were referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

JUNIOR CHAMBER OF COMMERCE  
OF GREATER PITSTON,  
Pittston, Pa., July 15, 1949.

Senator FRANCIS J. MYERS,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR: The Junior Chamber of Commerce of Greater Pittston at a meeting Thursday night, July 14, 1949, adopted a resolution seeking the aid the President's new program to aid distressed areas and unanimously voted to send the following telegram to Hon. John R. Steelman, Presidential aide:

"The Junior Chamber of Commerce of Greater Pittston earnestly requests you fully consider anthracite-coal region in keeping with President Truman's statement that he plans to have an extensive program to aid economically distressed areas.

"We have a serious unemployment problem and wish to invite you to come here and meet with civic and business leaders of the anthracite region to discuss these problems."

ERMINIO J. CEFALO,  
President.

COPY OF LETTER SENT TO HON. CHARLES SAWYER,  
SECRETARY, DEPARTMENT OF COMMERCE, BY  
THE GREATER PITSTON JUNIOR CHAMBER OF  
COMMERCE, PITSTON, PA.

JULY 16, 1949.

HON. CHARLES SAWYER,  
Secretary, Department of Commerce,  
Washington, D. C.

DEAR MR. SAWYER: In keeping with President Truman's program to have Government agencies help distressed areas by purchasing and by other means, the junior chamber of commerce of greater Pittston, sent the following telegram to Dr. John R. Steelman, Presidential aide, copies of which have been forwarded to Congressman DANIEL FLOOD and Senator FRANCIS J. MYERS:

"The Junior Chamber of Commerce of Greater Pittston earnestly requests you fully consider anthracite coal region in keeping with President Truman's statement that he plans to have an extensive program to aid economically distressed areas.

"We have a serious unemployment problem and wish to invite you to come here and meet with civic and business leaders of the anthracite region to discuss these problems."

We note in the press dispatches that you are to visit the New England States on Monday, July 25, in order to confer with leaders of that area on the economic conditions.

We wish to extend an invitation to you to visit and meet with the business and civic leaders of the anthracite coal region to discuss the problem of unemployment. As you know, we are one of the 10 most depressed economic areas in the entire United States.

Pittston is the geographic center of the Wilkes-Barre-Scranton area included in the President's program.

Your visit here will bring together the business and civic leaders in the entire Wilkes-Barre-Scranton area.

Trusting we may hear from you and that you will find it possible to come here on the return trip from the New England States.

Yours very sincerely,

ERMINIO J. CEFALO,  
President.

#### FEDERAL AID TO EDUCATION—LETTER FROM PATRICK A. TOMPKINS

Mr. LODGE. Mr. President, I have received a most interesting letter from

Patrick A. Tompkins, who is commissioner of the department of public welfare of the Commonwealth of Massachusetts. I am advised that in addition to the post which he now holds, he has also served as director of social welfare in the State of New York.

Speaking with this authoritative background, he says with special reference to the subject of Federal aid to education that there is what he describes as a gradual usurpation of State discretion in the development of its own plans while utilizing Federal grants-in-aid.

This same gradual infiltration in the educational system may, he says, lead to the point where the State, let alone individual cities, towns, or free-school districts would have no voice in the determination of standards of education, the certification of teachers, the content of curricula or any of the indirectly or directly related functions of school management which are incidental to a well-regulated educational program.

"It would not at all surprise me," he concludes, "to find graduates of otherwise recognized colleges and universities discredited by a Federal Bureau of Education because the teaching curriculum leading to a degree did not include subject matter on the must list of the agency allotting Federal grants in education."

Commissioner Tompkins adds, "In substance, the Federal bureaus are too far removed from the operating unit of government to appreciate and understand the individual constitutions of States, the cultures and desires of the peoples within those States, and accept the pace and the timing and improvement in the culture of America that is the bulwark of our great country."

This relates to such a vitally important subject and comes from such an authoritative source that I ask unanimous consent that the letter be printed in full at this point in the RECORD and appropriately referred.

There being no objection, the letter was referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF  
MASSACHUSETTS,  
DEPARTMENT OF PUBLIC WELFARE,  
Statehouse, Boston, June 27, 1949.

HON. HENRY CABOT LODGE, JR.,  
Senate Chamber, Washington, D. C.

MY DEAR SENATOR: As I am a resident of the Commonwealth, as well as State commissioner of public welfare and the father of seven children, I have naturally been concerned about a variety of legislation impinging upon both the provisions of the Social Security Act and the President's recent recommendation for a cabinet position for the department of public welfare. My particular interest at the immediate moment has been the proposed Federal aid-to-education bill embracing an appropriation of \$300,000,000. Such a bill, by its very nature, will, of course, affect every family in the United States having children of school age. Apart from my interest as a parent and the fact that the department which I have the privilege to head includes the largest child-welfare unit in the United States of America, I am concerned about the proposed Federal grants-in-aid over a period of almost 17 years both as a director of social welfare in

the State of New York and, since my discharge from the Army in 1945, as commissioner of public welfare in the Commonwealth of Massachusetts.

This concern has been increasing both in intensity and degree for the last several years and relates specifically to what I consider to be a gradual usurpation of State discretion in the development of its own plans while utilizing Federal grants-in-aid. Naturally, there is not any major change in policy or policy making initiated by the Federal Security Administration nor has there been any abrupt or arbitrary departure reflected at any one given moment from the original intent of Congress to provide such grants-in-aid to States which submitted approved plans in accordance with their own constitutions and their own statutes. Rather, there has been a gradual intrusion upon State discretion even to the point of language usage and to the further point where language is presented by the Federal Security Administration which must be used by the States in the development and execution of their plans. Most of this gradual infiltration into State discretion can be traced to the change of standards of administration to requirements of administration. This represents a new interpretation to Federal laws which, in substance, have not been changed since 1935 except as they have increased the Federal matching formula.

My concern with respect to Federal aid to education is related to exactly this same possibility of gradual infiltration in the educational system to the point where the State, let alone individual cities, towns, or free school districts would have no voice in the determination of standards of education, the certification of teachers, the content of curricula or any of the indirectly or directly related functions of school management which are incidental to a well-regulated educational program. It would not at all surprise me to find graduates of otherwise recognized colleges and universities discredited by a Federal Bureau of Education because the teaching curriculum leading to a degree did not include subject matter on the "must" list of the agency allotting Federal grants-in-education.

In substance, the Federal Bureaus are too far removed from the operating unit of Government to appreciate and understand the individual constitutions of States, the cultures and desires of the peoples within those States, and accept the pace and the timing and improvement in the culture of America that is the bulwark of our great country.

To use an illustration that I have employed in the past, may I say that "to pour a pail of culture over the uncultured through the medium of dollars and cents does not change the basic pattern of the individual, his appetites, or his weaknesses." Essentially we are all imperfect, even those who insist that perfectionism is more important than humanity. The perfect technique as in the case of the surgeon does not necessarily result in an improvement of the patient. This is equally true of education and public welfare. It is essential that State discretion in the development of programs best suited to the needs and the desires of the peoples of the individual States remain with those States and that if Federal grants-in-aid are to be the pattern of our country for education and public welfare, that specific, deterring checks on the Federal agencies be made and that the authority, discretion, and limitations of the Federal Bureau in allotting such grants-in-aid shall be similarly spelled out in a language of the law.

Certainly, there should be no acceptance of such grants-in-aid conditioned upon a method of selection of personnel dictated by the Federal bureau nor related to a school of a size acceptable to the Federal Bureau. Such decisions should be left to the individ-

ual States with standards as objectives toward which States should make gradual progress.

Very truly yours,

PATRICK A. TOMPKINS,  
Commissioner.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on the Judiciary:

S. 1530. A bill for the relief of Public Utility District No. 1, of Cowlitz County, Wash.; without amendment (Rept. No. 731).

By Mr. EASTLAND, from the Committee on the Judiciary:

S. 1681. A bill to prohibit the picketing of courts; with an amendment (Rept. No. 732).

By Mr. GRAHAM, from the Committee on the Judiciary:

S. 1837. A bill to amend the Trading With the Enemy Act; with an amendment (Rept. No. 734).

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

S. 1284. A bill to amend section 6 of the Federal Airport Act; with an amendment (Rept. No. 730).

By Mr. KNOWLAND (for Mr. TYDINGS), from the Committee on Armed Services:

H. R. 5007. A bill to provide pay, allowances, and physical-disability retirement for members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, the Reserve components thereof, the National Guard, and the Air National Guard, and for other purposes; with amendments (Rept. No. 733).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

H. R. 1997. A bill to authorize the survey of a proposed Mississippi River Parkway for the purpose of determining the feasibility of such a national parkway, and for other purposes; without amendment (Rept. No. 735).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs:

S. 1890. A bill to authorize acquisition by the county of Missoula, State of Montana, of certain lands for public-use purposes; with an amendment (Rept. No. 737).

S. 1891. A bill to provide for the conveyance of certain land in Missoula County, Mont., to the State of Montana for the use and benefit of Montana State University; without amendment (Rept. No. 736).

H. R. 1720. A bill to provide for the conveyance of certain land in Missoula County, Mont., to the State of Montana for the use and benefit of Montana State University; without amendment (Rept. No. 736); and

H. R. 2197. A bill to authorize acquisition by the county of Missoula, State of Montana, of certain lands for public-use purposes; with an amendment (Rept. No. 737).

#### REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation three lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 20, 1949, he presented

to the President of the United States the following enrolled bills:

S. 255. An act to amend section 205 of the Interstate Commerce Act, relating to joint boards;

S. 937. An act to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States;

S. 1279. An act to amend the Federal Airport Act so as to provide that minimum rates of wages need be specified only in contracts in excess of \$2,000;

S. 1280. An act to amend the Federal Airport Act so as to limit to 10 percent any increase of the amount stated as a maximum obligation under a grant agreement; and

S. 1639. An act to amend section 1452, Revised Statutes, relating to Presidential action on the proceedings and decisions of Navy retiring boards.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LUCAS:

S. 2285. A bill for the relief of the E. Burnham School of Beauty Culture; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. CHAVEZ):

S. 2286. A bill authorizing transfer of land to the county of Bernalillo, State of New Mexico, for a hospital site; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG (for himself and Mr. RUSSELL):

S. 2287. A bill to give effect to the International Wheat Agreement entered into by the United States and other countries relating to the stabilization of supplies and prices in the international wheat market; to the Committee on Agriculture and Forestry.

By Mr. THYE:

S. 2288. A bill for the relief of Moorhead Machinery & Boiler Co., a partnership; to the Committee on the Judiciary.

By Mr. THYE (for himself and Mr. HUMPHREY):

S. 2289. A bill to authorize the exchange of Wildlife Refuge lands within the State of Minnesota; to the Committee on Interior and Insular Affairs.

By Mr. CHAPMAN:

S. 2290. A bill to authorize an appropriation for the making of necessary improvements in the cemetery plots at the Blue Grass Ordnance Depot, Richmond, Ky.; to the Committee on Armed Services.

By Mr. HOEY:

S. 2291. A bill for the relief of James I. Bartley; to the Committee on the Judiciary.

By Mr. HOLLAND (by request):

S. 2292. A bill for the relief of Emile J. Gauthier; to the Committee on Finance.

By Mr. PEPPER:

S. 2293. A bill for the relief of Fritz von Opel; to the Committee on the Judiciary.

By Mr. MCCARRAN:

S. 2294. A bill to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; to the Committee on the Judiciary.

By Mr. KNOWLAND:

S. 2295. A bill for the relief of Francesca Lucareni, a minor; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 2296. A bill for the relief of Maria Cicerelli; and



S. 2297. A bill for the relief of the estate of Lee Jones Cardy; to the Committee on the Judiciary.

By Mr. WILEY:

S. 2298. A bill to authorize the Administrator of Veterans' Affairs to convey certain lands and to lease certain other land to Milwaukee County, Wis.; to the Committee on Finance.

(Mr. JOHNSTON of South Carolina introduced Senate Joint Resolution 119, to amend the act of June 30, 1949, which increased the compensation of certain employees of the District of Columbia, so as to clarify the provisions relating to retired policemen and firemen, which was referred to the Committee on the District of Columbia, and appears under a separate heading.)

(Mr. McCARRAN introduced Senate Joint Resolution 120, proposing an amendment to the Constitution of the United States to restore the same rights to the Indian tribes which are enjoyed by all citizens of the United States, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

#### COMPENSATION OF RETIRED POLICEMEN AND FIREMEN OF THE DISTRICT OF COLUMBIA

Mr. JOHNSTON of South Carolina. Mr. President, I introduce for appropriate reference a joint resolution to amend the act of June 30, 1949, which increased the compensation of certain employees of the District of Columbia, so as to clarify the provisions relating to retired policemen and firemen.

The joint resolution would provide specific authority for the Commissioners of the District of Columbia to pay the retired members of the Metropolitan Police, United States Park Police, the White House Police, and the Fire Department of the District of Columbia retroactively to June 30, 1948. It would also provide authority for the Commissioners of the District of Columbia to pay this group of retired employees without the necessity of these employees making requests that these funds be made available to them.

Under a decision of the Comptroller General of March 4, 1949, the Commissioners would not have authority to pay this group of employees unless application were actually made for the payment of these funds and at the time this committee considered the original salary increase bill, H. R. 3088, it was the intention of the committee that all groups of employees should receive this additional compensation without the necessity of having to make application to any source for this money. This intent would be carried out by this legislation.

The joint resolution (S. J. Res. 119) to amend the act of June 30, 1949, which increased the compensation of certain employees of the District of Columbia, so as to clarify the provisions relating to retired policemen and firemen, introduced by Mr. JOHNSTON of South Carolina, was read twice by its title, and referred to the Committee on the District of Columbia.

#### AMENDMENT OF CONSTITUTION RELATING TO RIGHTS OF INDIAN TRIBES

Mr. McCARRAN. Mr. President, I introduce for appropriate reference a

joint resolution proposing an amendment to the Constitution of the United States to restore the same rights to the Indian tribes which are enjoyed by all citizens of the United States, and I ask leave to have printed in the RECORD in connection with the joint resolution a statement giving reasons why the commerce clause of the Constitution should be amended with respect to commerce with the Indians.

The VICE PRESIDENT. Without objection, the joint resolution will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The joint resolution (S. J. Res. 120) proposing an amendment to the Constitution of the United States to restore the same rights to the Indian tribes which are enjoyed by all citizens of the United States, introduced by Mr. McCARRAN, was read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. McCARRAN is as follows:

#### STATEMENT BY SENATOR McCARRAN ON REASONS WHY THE COMMERCE CLAUSE OF THE CONSTITUTION SHOULD BE AMENDED WITH RESPECT TO COMMERCE WITH THE INDIANS

The commerce clause of the Constitution delegates the following powers to Congress, quoting verbatim: "To regulate commerce with foreign nations, and among the several States, and with the Indian tribes." For the reasons stated below it is highly desirable that the phrase "and with the Indian tribes" should be stricken out from this clause as soon as possible by proper constitutional amendment. Commerce has since been extended to mean all matters pertaining to Indian tribal affairs in this instance, and therefore has been assumed to justify activities of the Indian Bureau and Congress in relation to Indians.

The argument for removing this phrase is that conditions have changed immeasurably since the Constitution was formulated. Let us go back to the period when the Constitution was adopted in 1787. At that time most of the significant Indian tribes were situated on the frontier and were outside the area of settlement of the white man. On the Carolina and Georgia frontier there were Cherokees and Creeks, strong tribes both of them; on the New York frontier were the Iroquois, a very potent confederacy of fighting tribes. In Kentucky and Tennessee there were some precariously situated white outposts whose very existence was continuously in jeopardy due to the presence of powerful Indian groups to the north and to the south.

Under the Articles of Confederation the powers of the central Government over Indian affairs had been very unclearly defined and inadequately asserted although the Indian tribes were in general regarded as foreign nations. In 1784 the Legislature of New York ordered the Governor and commissioners to treat with the Indians residing within the State. The State of North Carolina likewise was engaged in extending State jurisdiction over the Cherokees and at the same time Georgia was treating with Cherokees and Creeks.

Probably one of the most potent factors which led the Constitutional Convention to place the power over Indian trade in congressional hands was the influence of foreign agents over the Indians. During the revolutionary American traders faced with the opposition of British traders in the South. After the war these British traders, now under Spanish masters, tried to prevent the western

expansion of American trade and settlement through their influence with the Indians. In addition although Americans were interested in securing control over the fur trade they were unable to capture any of the strategic fur trading posts during the Revolution. After the war the British traders still held these posts in the Northwest and thereby maintained powerful economic pressure on many of the tribes. This led to zealous interest on the part of the Continental Congress in finding some means of securing Indian trade and goods. This interest, incidentally, led to the appointment in 1786 of two secretaries of Indian trade responsible to the Secretary of War.

At the time when the Constitution was adopted, then, a strong central Government control over Indian trade and Indian affairs appeared to be a matter of political expediency. If the individual States had been allowed to make separate treaties with Indian tribes, especially since some of these tribes were undoubtedly under the potent influence of foreign nations, it would have exercised a dividing force on the new American Republic. Thus it can be seen that in view of the circumstances which faced them the men who drew up the Constitution had no other course than to assign control of the Indian trade and Indian affairs to Congress.

But the circumstances which prevailed in 1787 have greatly changed during the last 150 years. The expansion of American territory and settlement has spanned to continent. The old Indian frontier problems have disappeared as have also the powerful Indian tribal governments which were so significant in 1787. As far back as 1871 the United States abandoned the usage of making treaties with the Indian tribes as if they were foreign nations. Instead of treaties Congress undertook to regulate Indian affairs by statutory enactment. A special Federal agency, the Bureau of Indian Affairs, had been organized in 1824 in the executive department to handle the function of Federal control over these matters.

The Indians of today constitute an insignificant racial minority of our 140,000,000 population, whereas in 1787 the frontier Indians constituted an appreciable factor in proportion to the white population of 3 to 4 million.

It is becoming increasingly difficult to distinguish an "Indian" from the other citizens of the Nation. In fact Congress made all Indians citizens in 1924 by joint resolution of the two Houses. Yet, due to powers embodied in the commerce clause, the Federal Government continues to control by special regulations and legislation the lives and property of those citizens who are arbitrarily classed as "Indian." As long ago as 1899 in *Keith v. United States et al.* (58 Pac. 507) the child of a white father and an Indian mother was held to be a non-Indian. Yet today there are many persons of infinitesimal proportions of Indian blood, even one two hundred and fifty-sixths, who are under special regulation as "Indians."

Probably very few of us, accustomed as we are to the full exercise of our citizenship rights, have any conception of the restrictions which are imposed by Federal control over our Indian fellow citizens. It may be in point to enumerate a few of these paternalistic forms of discrimination and special treatment, as follows: (1) About half of the Indian children in the United States who attend school must do so at special Indian schools maintained by the Indian Bureau rather than public schools; (2) When ill the average Indian, if he is to get any attention at all must go to an Indian Bureau physician or nurse or enter an Indian Bureau hospital; (3) The restricted Indian cannot buy, sell, or lease land except

<sup>1</sup> Art. I, sec. 8, par. 3.

as Indian Bureau regulations or rules imposed by a tribal organization sponsored by the Indian Bureau permit; (4) The restricted Indian cannot have access to his own funds deposited in the Federal Treasury; (5) When he is on the reservation the Indian is subject to Indian Bureau police, courts, and jails, and various so-called "tribal" regulations; (6) The Indian who is in need of the social security protection accorded all other citizens often finds himself solely dependent on the Indian Bureau for relief and welfare assistance; (7) Indian veterans find in practice that Indian Bureau regulations prevent their obtaining of GI loans under the GI bill of Rights; (8) The Indian cannot buy or sell alcoholic liquors nor consume them on or off the reservation; (9) Freedom of business enterprise on Indian reservations is completely hamstrung by Indian Bureau "tribal" organizations and corporations or by Bureau regulations directly; (10) Under present conditions it generally requires a special act of Congress to free each individual Indian from the restrictions on his property imposed by the Indian Bureau. In fact the initiative of the Indian has been almost completely stifled by the paternalism of special Federal legislation.

The power delegated in the Constitution over Indian trade and affairs, is no longer needed nor just. In fact, so long as this power remains, it will necessarily be to the detriment of our Indian fellow citizens. The retention of this power in the Constitution makes for continuance of a paternalistic Federal control over Indians indefinitely in the future. If Indians are ever to become full citizens all special treatment and control by the Federal Government must be removed. Since the original justification for this control is no longer valid it would seem only reasonable, as well as in the interests of justice, for us here and now to remove the constitutional proviso which differentiates them from all other classes of citizens.

#### INVESTIGATION OF MONOPOLISTIC PRACTICES IN FERTILIZER INDUSTRY

Mr. TAYLOR (for himself, Mr. MURRAY, Mr. WITHERS, Mr. GILLETTE, Mr. JOHNSTON of South Carolina, Mr. SPARKMAN, Mr. LANGER, and Mr. MAGNUSON) submitted the following resolution (S. Res. 139), which was referred to the Committee on Agriculture and Forestry:

Whereas there is now before Congress a proposal to create a Columbia Valley Authority which would develop a large supply of low-cost electricity and would include in its boundaries high-grade phosphate deposits; and

Whereas the Tennessee Valley Authority has demonstrated that highly concentrated fertilizers can greatly decrease the cost of fertilization to farmers; and

Whereas one of the most highly concentrated plant-food products developed by our scientists is a mixture of potash and phosphate; and

Whereas it has repeatedly been charged before the Congress that the production of plant-food elements, and their mixing and distribution, is controlled by a trust which maintains high prices and enforces uneconomic mixing and dilution of fertilizers; and

Whereas the American potash industry developed primarily because of Federal aid and on land leased from the Government; and

Whereas as a result of Government development the potash industry has enjoyed extraordinary profits, and a situation has developed in which a few companies control between 80 and 90 percent of the total potash produced in this country; and

Whereas there is a genuine shortage of cheap potash for fertilizer, production of

which has been restricted by the monopolistic practices of the American potash industry; and

Whereas the welfare of thousands of wage workers employed in this industry and millions of American farmers who use these products is being adversely affected by the continued existence of the potash monopoly; Be it therefore

*Resolved*, That the Senate Agriculture Committee, through its Subcommittee on Farm Products Utilization is hereby authorized and directed to conduct an investigation of the nature and extent of monopolistic practices in the fertilizer industry, including the manufacture and distribution of potash, phosphate, and nitrogen, the need for development of low-cost fertilizer supplies and for authorization of the construction of fertilizer plants by the proposed Columbia Valley Authority. The sum of \$25,000 is hereby authorized to be expended from the contingent funds of the Senate for carrying out the purposes of this resolution.

The committee shall make such interim advisory reports to the Senate Public Works Committee considering the Columbia Valley Authority bill as it seems necessary and shall report its findings and recommendations to the Senate not later than April 15, 1950.

#### AMENDMENT OF FAIR LABOR STANDARDS ACT—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (S. 653) to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes, which was ordered to lie on the table and to be printed.

#### INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (H. R. 3838) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1950, and for other purposes, which was ordered to lie on the table and to be printed.

#### INCREASE IN COMPENSATION OF HEADS OF CERTAIN EXECUTIVE DEPARTMENTS—AMENDMENTS

Mr. BALDWIN submitted an amendment intended to be proposed by him to the bill (H. R. 1689) to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies, which was referred to the Committee on Post Office and Civil Service, and ordered to be printed.

Mr. THYE (for himself and Mr. BALDWIN) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 1689) to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies, which was referred to the Committee on Post Office and Civil Service, and ordered to be printed.

#### THE INTERNAL REVENUE CODE—AMENDMENTS

Mr. BALDWIN submitted two amendments intended to be proposed by him to the bill (H. R. 3905) to amend section 3121 of the Internal Revenue Code, which were ordered to lie on the table and to be printed.

#### THE INTERNAL SECURITY OF THE UNITED STATES—AMENDMENTS

Mr. McCARRAN. Mr. President, I submit two amendments intended to be proposed by me to the bill (S. 595) relating to the internal security of the United States, now pending on the calendar, after having been favorably reported from the Committee on the Judiciary.

The bill is the so-called internal security bill, which I introduced on January 18 of this year and which was the subject of lengthy hearings before a subcommittee of the Committee on the Judiciary headed by the senior Senator from Mississippi, Senator EASTLAND, and which received long and mature consideration both by the subcommittee and by the full Committee on the Judiciary.

Most Senators are, I think, at least generally familiar with the provisions of this bill, and I shall not go into detail with regard to the measure at this time.

As I introduced the bill, it contained a provision specifically designed to protect freedom of speech and freedom of the press. This provision was eliminated in committee, not because the committee had any lack of desire to protect these freedoms, but because the committee reached the conclusion that such a provision was unnecessary.

One of the amendments I have just sent to the desk would restore to the bill a provision of this nature. I intend to offer this amendment because the opinion has been expressed—and I have become convinced this is the correct view—that regardless of whether such a provision is necessary, its inclusion in the bill would be a salutary thing.

The other amendment which I have introduced would strike from the bill a provision giving the President, in time of war or national emergency, authority to extend the provisions of the law, by Presidential proclamation, to include such property and places as he might designate in the interest of national security.

I think there is much to be said for this provision; and it might even be that such a provision would be necessary, and that such a Presidential power would be necessary, in time of war. However, this is an extremely broad power; so broad that it would permit the President to designate homes, business places, streets, places of public assembly, and so on, as within the coverage of the bill, and thus create a power of criminal regulation almost limitless in its possibilities. I believe that if the extension of such power to the President becomes necessary, by reason of war conditions, the Congress can act promptly to grant the power; and I gravely doubt whether such power should be vested in the President simply in the case of a national emergency. We are in a state of national emergency right now, and there is no telling how long we may remain in such a state.

The amendments are not the product of sudden inspiration. They are the result of long and mature consideration, and of careful study by experts.



So that the Senate may know the whole history of the genesis of these amendments, let me say that on June 9 the senior Senator from West Virginia [Mr. KILGORE], a member of the Committee on the Judiciary, wrote to me expressing certain fears with regard to the effect of this bill. I promptly began a restudy of the bill, and sought advice with respect to the points raised by the senior Senator from West Virginia. What the senior Senator from West Virginia said, what advice I sought, and what advice I received, are all shown by the correspondence which I hold in my hand, and which I now send to the desk. I ask unanimous consent that the correspondence, in chronological order, may be printed in the RECORD at this point as a part of my remarks.

I hope that Senators will read the correspondence, and will study the issues involved, so that they may have a sound basis for their decision when this bill comes up for consideration, as I hope it may in the very near future.

The VICE PRESIDENT. The amendments submitted by the Senator from Nevada will be received, printed, and lie on the table, and, without objection the correspondence will be printed in the RECORD, as requested. The Chair hears no objection.

The correspondence referred to is as follows:

JUNE 9, 1949.

HON. PAT MCCARRAN,  
United States Senate, Washington, D. C.

DEAR SENATOR: I have been very much concerned, as I indicated in the committee, about the language of S. 595, and have been rereading it time and again and feel compelled to reach the conclusion that the language is far broader than, I am sure, you yourself would want it to be if you could take the time for a restudy of the bill. Very few people know as well as I do the tremendous burdens that have fallen on you as chairman of the Judiciary Committee, with probably more bills coming before you than in any previous time in the history of the Judiciary Committee, and I appreciate how difficult it is for you to find the time to go over each of these bills as minutely as you would like and particularly to make a restudy of any bill that you had already taken up in committee. However, I do suggest that it might be worth restudying.

As I have gone over this bill, it seems to me that at least theoretically the bill, if it became law, might make practically every newspaper in the United States and all the publishers, editors, and reporters into criminals without their doing any wrongful act. I am sure that no member of the committee would favor such an outcome, but I am afraid that as the bill now reads the theoretical power would be in the Department of Justice to apply this proposed law against every newspaper. I know you would not want to put any such power in the Department. As I now read the bill, it is so broad that I feel the Department would be given the power, not only theoretical, but actual, to prosecute if it so desired practically every newspaper and newspaperman in the country. In addition, I am afraid that almost everybody else in America would be subject to prosecution under some of the detailed provisions of the bill.

I therefore feel it necessary to say that if the bill came up in its present form, I would be compelled to vote and speak against it on the floor of the Senate.

With kindest regards, I am,  
Most sincerely yours,

H. M. KILGORE.

KCV—614

JUNE 10, 1949.

HON. HARLEY M. KILGORE,  
United States Senate, Washington, D. C.  
MY DEAR SENATOR: I have your letter of June 9 with regard to the bill S. 595, now pending on the Senate calendar.

As you know, this bill was handled by a subcommittee consisting of Senator EASTLAND, Senator MILLER, Senator O'CONOR, Senator FERGUSON, and Senator DONNELL. Public hearings were held on April 5, 6, and 7, and the bill was reported favorably by the subcommittee on May 2. On May 26 the full Committee on the Judiciary ordered the bill reported favorably to the Senate, with an amendment; and the bill was so reported on May 27 by Senator EASTLAND.

In your letter you suggest that this bill may constitute a threat to freedom of the press. Any suggestion of such a threat naturally concerns me greatly. I shall proceed at once to restudy the bill in the light of your letter. It appears that time is available in which this may be done, in view of the fact that there appears to be no possibility the bill would be called up in the Senate until after completion of debate on the labor bill.

After I have completed my restudy of S. 595 with particular regard to its impact upon freedom of the press, I shall get in touch with you again about this matter.

Thank you for writing to me, and my kindest personal regards to you.

Sincerely,

PAT MCCARRAN,  
Chairman.

JUNE 10, 1949.

HON. TOM CLARK,  
Attorney General of the United States, Department of Justice, Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: Attached is a copy of a letter I have just received from Senator KILGORE. The suggestion that the bill, S. 595, the so-called internal-security bill, contains a threat to freedom of the press, naturally concerns me greatly, since it was I who introduced this bill. I assume it will also concern you greatly, since the bill came to me with your sponsorship and was introduced at your request.

I shall be grateful if you will let me have, as soon as possible, your comments on Senator KILGORE's letter and specifically on the questions of the impact of S. 595 as reported by the Committee on the Judiciary upon freedom of the press, the extent of the authority which the bill, if enacted, would give to the Department of Justice with regard to proceeding against newspapers and newspaper men, and also the question of whether, as Senator KILGORE states he fears, "almost everybody . . . in America would be subject to prosecution under some of the detailed provisions of the bill."

I realize the many demands upon your time; but this is an extremely important matter, as I am sure you realize, and I therefore feel justified in asking that you expedite your reply.

Kindest personal regards,  
Sincerely,

PAT MCCARRAN,  
Chairman.

JUNE 10, 1949.

MR. JAMES P. RADIGAN,  
Chief, Federal Law Section, Legislative Reference Service, Library of Congress, Washington, D. C.

MY DEAR MR. RADIGAN: Question has been raised with respect to the possible impact of the bill, S. 595, now pending on the Senate Calendar, upon freedom of the press. The suggestion has been made that the bill, if it became law, "might make practically every newspaper in the United States and all the publishers, editors, and reporters into criminals without their doing any wrongful

act," and that "the bill . . . is so broad that . . . the Department (of Justice) would be given the power, not only theoretical, but actual, to prosecute if it so desired practically every newspaper and newspaper man in the country."

I am extremely anxious to have a considered opinion on this question at the earliest possible date, and I shall be grateful if you will go into it and have your staff go into it, and let me know your conclusions.

It has also been suggested that almost everybody in America would be subject to prosecution under some of the detailed provisions of the bill. I presume this is intended as a charge that the provisions of the bill are entirely too broad. I wish you would also give attention to this question in a separate section of your opinion.

I realize the many demands that are made upon you, but this is an extremely important matter, and I feel justified in asking that you expedite action on my request.

Kindest personal regards.

Sincerely,

PAT MCCARRAN,  
Chairman.

JUNE 10, 1949.

MR. ELISHA HANSON,  
Attorney at Law, Washington, D. C.

MY DEAR MR. HANSON: Question has been raised with respect to the impact of the bill S. 595 upon freedom of the press.

This bill, a copy of which is enclosed for your information, is now pending on the Senate Calendar.

I have always been greatly concerned with protection of the rights of the press, for I am deeply convinced that a free press is one of the strongest bulwarks of our system of democratic government.

I shall, therefore, be extremely grateful to you if you will give me your opinion on whether this bill contains provisions which constitute a threat to press freedom or a possible vehicle for harassment of publishers, editors, or reporters in the free exercise of their constitutional rights. If it is your conclusion that there is such a threat in the bill, I hope you may be willing to point out the faulty provisions and to suggest how they might be amended.

Unfortunately, there is no authority under the law by which the Judiciary Committee can offer you any compensation in connection with this matter. I am hoping that you may be willing to undertake this task as a contribution toward good legislation. Your opinion will naturally carry great weight, for you are recognized as one of the outstanding authorities on this subject.

I realize the many demands which are made upon your time, but this matter is so important that I feel justified in asking that you expedite your reply.

Kindest personal regards.

Sincerely,

PAT MCCARRAN,  
Chairman.

THE LIBRARY OF CONGRESS,  
Washington, D. C., June 15, 1949.

TO: HON. PAT MCCARRAN.  
Subject: S. 595.

I. THE FIRST QUESTION IS, IF S. 595 IS ENACTED, WILL IT MAKE "PRACTICALLY EVERY NEWSPAPER IN THE UNITED STATES AND ALL THE PUBLISHERS, EDITORS, AND REPORTERS INTO CRIMINALS WITHOUT THEIR DOING ANY WRONGFUL ACT"?

Although a crime at common law, when committed by an individual, consists of acts done with an evil or criminal intent, in statutory offenses created in the proper exercise of legislative power, unless a wrongful intent or guilty knowledge is made an essential element of the prohibited act, the violator may be convicted and punished even if he did

not design to violate the law (*U. S. v. Balint* (1922) (258 U. S. 250)). "The constitutional requirement of due process is not violated merely because mens rea is not a required element of a prescribed crime" (*U. S. v. Greenbaum* (C. C. A. 3d, 1943), 138 F. (2d) 437), and cases cited; see also *U. S. v. Balint*, supra).

With these principles in mind, let us examine the crimes prescribed in proposed section 793 of title 18, as set forth in S. 595. The crimes stated in proposed subsections (a) and (b) do not require an evil or criminal intent generally, but a basic element of the crime, with respect to which the burden of proof is on the prosecution, is that there be "intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation." If this is shown, it can hardly be said that the actor is innocent of any wrongdoing in his activity. "Intent may make an otherwise innocent act criminal, if it is a step in a plot." *Badders v. U. S.* ((1916) 240 U. S. 391). "If a man intentionally adopts certain conduct in certain circumstances known to him, and that conduct is forbidden by the law under those circumstances, he intentionally breaks the law in the only sense in which the law ever considers intent." *Ellis v. U. S.* ((1907) 206 U. S. 246). Under subsections (a) and (b) only those who do the proscribed acts with the intent or reason to believe set forth in the statute can be successfully prosecuted. In such cases, a wrongful act has been committed. Acts without the requisite intent or reason to believe are without the compass of criminality. Consequently, the objection that the statute may share the innocent does not appear to be well taken as to proposed subsections (a) and (b).

The argument can be made, of course, that the words "or reason to believe" open up a broad field of possible prosecution on the basis that under almost any circumstances some facts establishing a reason to believe could be shown to the satisfaction of a jury. But it is to be noted that the required reason to believe is that "the information is to be used to the injury of the United States, or to the advantage of any foreign nation." This requires the showing of a positive effect which, in advance of the event, is demonstrated with sufficient clarity that a man can be said to have a reason to believe it will occur. The mere showing that it might occur under certain conditions or that possibilities are suggested is not enough. It might be remarked, however, that it would not, in our opinion, seriously impair the operation of subsections (a) and (b) if "reason to believe" were eliminated therefrom, thus removing a possible source of difficulty in the application of the statute.

Proposed subsection (c) of section 793 is related to subsections (a) and (b). The words "for the purpose aforesaid" mean "for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation." Therefore, what has already been said with respect to subsections (a) and (b) applies equally to subsection (c). A further element, however, is introduced in subsection (c). The crime is not committed unless the actor also knows or has reason to believe, at the time he receives or obtains, or agrees to receive or obtain, the documents, etc., that they have been or will be obtained, taken or disposed of contrary to the provisions of the chapter. "Every man is presumed to intend the necessary and legitimate consequences of what he knowingly does." *Reynolds v. U. S.* ((1879) 98 U. S. 145). Under subsection (c) only those with the requisite intent and knowledge (or reason to believe) can be subjected to prosecution.

Practically the same comment made concerning subsections (a) and (b) can be made with respect to proposed subsections (d) and (e). Here, in addition, the word "willfully" is used. It is well settled that where a "willful" act is prohibited, "actual knowledge of the existence of obligation and a wrongful intent to evade it, is of the essence." *Hargrove v. United States* (C. C. A. 5th, 1933), 67 F. (2d) 820, and cases cited. Since under these subsections, a criminal intent is therefore required, there can be no possible objection to the words "reason to believe" as used therein.

Concerning subsection (f), two crimes are stated: (1) gross negligence in permitting documents, etc., to be removed from the proper place of custody, or lost, stolen, abstracted, or destroyed; and (2) failing promptly to report to a superior officer the illegal removal of documents, etc., from their place of custody, or their loss, theft, destruction, or illegal delivery, with knowledge of the same. The second of these would infrequently, if ever, involve a newspaper or its employees. But even if it did, knowledge is required before the crime of omission can be charged. As to the first, it is competent for the legislature to make negligence criminal, in order to stimulate proper care. See *United States v. Balint*, supra. In order to avoid successful prosecution, all one must do is show a moderate amount of care. "Gross negligence" is negligence of such an aggravated character as to approach indifference to or disregard of the consequences; it is the absence of even slight care. See 18 Words and Phrases 721 et seq.

It seems clear, therefore, that none of the crimes stated in subsections (a)-(f) of proposed section 793 could be charged against newspapers or publishers, or the editors or employees thereof, where they were acting in the normal course of their duties and without the wrongful intent or reason to believe, or knowledge, as required under the statute.

## II. THE SECOND INQUIRY IS WHETHER THE PROVISIONS OF THE STATUTE ARE TOO BROAD

It is believed that the crimes stated in section 1 of the bill (amending sec. 793) are not stated too broadly. Certain acts are set forth, of a particular kind and with reasonable specificity, so as to inform persons of ordinary intelligence of the crimes with which they might be charged thereunder. See *Lanzetta v. New Jersey* ((1939) 306 U. S. 451). It is true that a statute may be so vague as to be unconstitutional, in that it affords no ascertainable standards of guilt and does not define the crimes involved with appropriate definiteness. See *Winters v. New York* ((1948) 333 U. S. 507). But in the *Winters* case the Court conceded that "The entire text of the statute or the subjects dealt with may furnish an adequate standard." In *Screws v. United States* ((1945) 325 U. S. 91), upholding a criminal statute against the charge of uncertainty, the Court said that the constitutional requirement of due process of law demands only that a statute give a person acting with reference to it "fair warning that his conduct is within its prohibition." In *United States v. Wurzbach* ((1930) 280 U. S. 396), Mr. Justice Holmes declared:

"Whenever the law draws a line there will be cases very near each other on opposite sides. The precise course of the line may be uncertain, but no one can come near it without knowing that he does so, if he thinks, and if he does so it is familiar to the criminal law to make him take the risk."

Nor does a statute have to be so exact as to eliminate all possible variances of meaning. In *Nash v. United States* ((1913) 229 U. S. 373, 377), Mr. Justice Holmes also said:

"The law is full of instances where a man's fate depends on his estimating rightly, that is, as the jury subsequently estimates it,

some matter of degree. If his judgment is wrong, not only may he incur a fine or a short imprisonment, as here; he may incur the penalty of death."

Tested by these standards S. 595 does not appear to be drawn too broadly.

One point, however, should be noted. Section 4 (a) of the bill provides that anyone willfully violating orders or regulations promulgated by the Secretary of Defense, or by any military commander designated by him, for the protection or security of "military or naval aircraft, airports, airport facilities, vessels, harbors, ports, piers, waterfront facilities, bases, forts, posts, laboratories, stations, vehicles, equipment, explosives, or other property or places" subject to the jurisdiction, administration, or in the custody of the National Military Establishment, or any department, agency or employee thereof, "relating to fire hazards, fire protection, lighting, machinery, guard service, disrepair, disuse or other unsatisfactory conditions thereon, or the ingress thereto or egress or removal of persons therefrom, or otherwise providing for safeguarding the same against destruction, loss, or injury by accident or by enemy action, sabotage or other subversive actions," shall be guilty of a misdemeanor and upon conviction subject to fine or imprisonment, or both. Subsection (c) of section 4 then provides that in time of war, or of national emergency as proclaimed by the President, the provisions of the section "may be extended by Presidential proclamation to include such property and places as the President may therein designate in the interest of national security." This is so broad that it would permit the President to designate homes, business places, streets, places of public assembly, courts, etc., as within the coverage of section 4 (a) and taken together with the almost all-inclusive words underlined above in the quoted portion ("other unsatisfactory conditions thereon" and "removal of persons therefrom") would create a power of criminal regulation almost limitless in its possibilities. It may be questioned whether even in wartime, short of martial law, such power should be afforded by statute. And it should be noted that the power can be exercised even in the event of a "national emergency," which might not even involve war at all. It would seem that the true purposes of section 4 could be served as well if subsection (c) were omitted entirely.

HANSON, LOVETT & DALE,  
Washington, D. C. June 17, 1949.

HON. PAT MCCARRAN,  
Chairman, Committee on the Judiciary,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR MCCARRAN: I am sorry that my absence from the city prevented my response to your letter of June 10 before this.

I have given careful consideration to S. 595 as reported with an amendment from the Committee on the Judiciary and also to its companion bill in the House, H. R. 4703, as reported to the House.

With the general purposes of these measures I am in complete sympathy. I consider that a position with the Government is a position of trust and that the most severe penalties should be inflicted upon anyone guilty of a violation of trust, particularly where that violation may endanger the national security or welfare. At the same time, I think it is essential in the enactment of legislation for the protection of the citizenry as a whole not to infringe upon the individual citizen's constitutionally guaranteed rights. Among these, as you have pointed out in your letter, is the right of the citizens of this country to have a press free from Government control, restraint or censorship.



S. 595 as originally introduced by you contained in section 8 a prohibition against the establishment of military or civilian censorship as well as a prohibition against the limitation of the right of the people of this country to have a free press as guaranteed by the Constitution. This section was eliminated in the bill as reported to the Senate ostensibly upon the theory that it was purely superfluous since Congress could pass no law which would infringe upon the freedom of the press. I emphatically disagree with that thinking. The Constitution does not ipso facto prohibit Congress from passing a law repugnant thereto. What it does is to afford the citizen a right to challenge such a law if Congress does pass it and in effect empowers and directs our courts to set aside any law or provision of law repugnant to constitutionally guaranteed rights. Over a period of years, we have had many instances where Congress has enacted legislation, the intent, purpose and effect of which was to delegate to administrative agencies of the Government some of its law-making powers. I firmly believe that all such delegation where made should contain precise limitations on the authority of the recipient agency of such a character as specifically to prohibit it from doing what the Constitution prohibits Congress from doing.

Let me give you two illustrations; one where there was no such limitation and the other where there was.

1. The National Industrial Recovery Act which became law in 1933 and subsequently was set aside in a unanimous decision of the Supreme Court of the United States contained possibly the broadest delegation of authority of any act ever passed by Congress. The powers therein were delegated to the President who in turn was given authority to redelegate them ad infinitum. The President promptly used the authority delegated to him to set up the National Recovery Administration and in turn delegate to the administrator of the National Recovery Administration all of his purported authority under the law.

One of the most controversial provisions of that act was the licensing provision of section 4. By the terms of this provision, the President was authorized by Congress under certain conditions to license any or every business in the United States and to prohibit any person from doing business through the revocation of a license for any activities contrary to the policy of the law. Publishers immediately challenged this grant of authority. The first administrator of the National Recovery Administration stated that he saw no difference between newspaper publishing and any other line of business. Subsequently, but only after months of controversy, the publishers prevailed in their contentions (a) that the press could not be licensed and (b) that conditions for the operation of his business could not be imposed upon any publisher by executive order or agreement of others in the absence of his expressed consent thereto. The incident of the administration of the Recovery Act illustrates the type of controversy that may ensue after a delegation of authority by Congress if the Congress does not in precise terms define the limits of the delegation.

2. In 1942 when the Price Control Act was passed, Congress specifically provided in section 302 thereof "that nothing in this act shall be construed to authorize the regulation of . . . (4) rates charged by any person engaged in the business of operating or publishing a newspaper, periodical, or magazine . . ." The net effect of this provision was that during the entire period of price control no one of the several administrators ever attempted to evade that limitation upon his authority.

To the end that proper limits be fixed by the Congress on its delegation, I therefore, suggest that the equivalent of section 8 be restored to this bill with a slight modification as follows:

"Sec. 8. Nothing in this act shall be construed to authorize, require or establish military or civilian censorship or in any way to limit or infringe upon freedom of the press or of speech as guaranteed by the Constitution of the United States and no regulation shall be promulgated hereunder having that effect."

If such a provision be included in the law when it is enacted, it will in no sense defeat the general purposes of the act. It will, however, serve to limit overzealous administration.

Now while it does not deal with freedom of the press as such, I do want to call your attention to a provision in the proposed amendment to the Foreign Agents Registration Act of June 8, 1938.

On page 16 of the reported bill, subsection 8 (e) of the proposed amendment to section 3 of the Foreign Agents Registration Act in effect abolishes all statutes of limitations in respect of failure to file registration statements as required by the law. At the present time, if my memory does not fail me, treason and murder are the only crimes not covered by statutes of limitations. If a 10-year statute of limitations is reasonable for the crimes covered by the other amendments in the bill, certainly a 10-year period would seem to be reasonable for violations of the Foreign Agents Registration law.

In making the foregoing comments, I desire to point out that during World War II this Government did not attempt to enforce censorship as such upon the press of the United States. Agencies of the Government were set up to facilitate the handling of news in such a way as not to endanger the security of this country or to reveal to the enemy the movement of our armed forces. Committees of the press were set up in turn to confer with and cooperate with these agencies of the Government. Certainly, if that can be done in time of war, there should be no occasion in time of peace for Congress to enact legislation which might be construed by an overzealous official as authority to restrict the free flow of information of vital importance to the American people.

Very truly yours,

ELISHA HANSON.

OFFICE OF THE ATTORNEY GENERAL,  
Washington, D. C., June 23, 1949.  
HON. PAT MCCARRAN,  
Chairman, Committee on the Judiciary,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR: This is in response to your letter of June 10, 1949, with which was enclosed a letter of June 9, 1949, from Senator KILGORE to you concerning S. 595, a bill relating to the internal security of the United States, as reported favorably by the Committee on the Judiciary.

Senator KILGORE's letter appears to express concern that members of the press and almost everybody else in America would be subject to prosecution under some of the detailed provisions of the bill.

It is not known to which provisions of the bill the Senator's letter may have particular reference, but it is believed that this fear is unfounded. The history and application of the existing espionage statutes which this bill would amend only in part, and the language, history, hearings, and report of the committee relative to this bill, together with the integrity of the three branches of the Government which enact, enforce, and apply the law, would indicate that nobody other than a spy, saboteur, or other person who

would weaken the internal security of the Nation need have any fear of prosecution under either existing law or the provisions of this bill.

Needless to say, neither this Department nor the Members of the Congress would support a measure so drastic as the Senator's letter expresses the fear that this bill might be. The bill was neither intended nor drafted to impair the fundamental freedoms of the press or the individual.

The measure has been given most careful study. It was recommended by the Interdepartmental Intelligence Committee, consisting of the Director of the Federal Bureau of Investigation of this Department and the heads of the military intelligence. An analysis and the purposes of the measure were set forth in the Attorney General's letter of transmittal of January 14, 1949, and the measure was again discussed in detail in hearings before both the Senate and House Judiciary subcommittees.

It may be that the letter of Senator KILGORE refers to the element of "information relating to the national defense" which would be added to subsection 1 (d) of the Espionage Act (p. 12, lines 15 and 16 of the bill as reported). If this be the case, it should be noted that the loss of "information relating to the national defense" under existing law (subsec. 1 (f), p. 13, line 20 of the bill), without any scienter whatever, is punishable the same as a violation of subsection 1 (d), whereas the addition of the element of "information relating to the national defense" to subsection 1 (d) would be modified by the clause "which . . . the possessor has reason to believe could be used to the injury of the United States. . . ." Hence, this amendment would be less broad than existing law in this respect, and I am not aware of any use of the existing law which has abused the freedom of the press or the individual. Moreover, it appears that a person who makes a deliberate, unauthorized transmission of such information should certainly be held accountable at least as much as one who merely loses the information through negligence.

There is enclosed herewith a copy of S. 595 as reported by the Committee on the Judiciary in which additions to existing law have been underscored for purposes of convenient reference. The Department would appreciate the opportunity of discussing with Senator KILGORE any provisions of the bill concerning which he may have any questions.

Sincerely,

TOM C. CLARK,  
Attorney General.

JULY 9, 1949.

HON. HARLEY M. KILGORE,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR: Under date of June 9, you wrote me suggesting that the bill S. 595, now pending on the Senate Calendar, after having been reported favorably from the Committee on the Judiciary, may constitute a threat to freedom of the press, and expressing also the opinion that the bill was too broad.

As I promised you in my reply of June 10, I have restudied this bill most carefully, and I have sought expert advice from several sources. For your information, I enclose copies of letters which I addressed to the Attorney General; to the Chief of the Federal Law Section of the Legislative Reference Service, Library of Congress; and to Mr. Elisha Hanson. I am also enclosing replies from the Attorney General and Mr. Hanson, and a copy of certain memoranda furnished me by the Federal Law Section of the Legislative Reference Service, Library of Congress, pertinent to this question.

The Attorney General's letter appears to support the bill, in its present form, both strongly and fully.

Mr. Hanson's letter suggests an amendment which seems to have merit, and which seems aimed at answering one of the points which you raised. It will be my purpose to offer the language suggested by Mr. Hanson as a floor amendment to S. 595. I refer to Mr. Hanson's modification of what was section 8 of the bill as I originally introduced it. In the amendment which I intend to offer, this language will be proposed as a new section 5 of the bill.

Mr. Hanson's suggestion with regard to statute of limitations on failure to file under the Foreign Agents Registration Act does not appear to be well founded. The gravamen of this offense is not an overt act but a mere failure to act. The offense might under some circumstances be very difficult to discover. I do not like the idea of a legal situation in which a foreign agent, if he can successfully flaunt the law for some named period of time, may thereafter be forever immune to prosecution.

The point made by Mr. Oglebay, of the Federal Law Section, Legislative Reference Service, with regard to the desirability of eliminating subsection (c) of section 4 of the committee bill, also strikes me as worth while, and I shall offer an amendment for this purpose.

With the two amendments referred to above, I believe the bill will be wholly acceptable and that it should be enacted.

Thank you for writing me about this matter.

Kindest personal regards.

Sincerely,

PAT McCARRAN,  
Chairman.

#### ELIZABETH DANIEL MEMORIAL—CHANGE OF REFERENCE

Mr. HAYDEN. Mr. President, I move that the Committee on Rules and Administration be discharged from the further consideration of the bill (S. 2143) to provide for the erection of a memorial at the grave of Elizabeth Daniel, the widow of Joseph (Job) Daniel, a Revolutionary War soldier, and that it be referred to the Committee on the Judiciary. This request is agreeable to the chairman.

The motion was agreed to.

#### AMENDMENT OF CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930—RECOMMITTAL OF BILL

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, be taken from the calendar, and recommitted to the Committee on Post Office and Civil Service.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

#### PRINTING OF REVIEW OF REPORT ON MONONGAHELA RIVER, W. VA., AND PA. (S. DOC. NO. 100)

Mr. CHAVEZ. Mr. President, on behalf of the Committee on Public Works, I present a letter from the Secretary of War, transmitting a report dated May 31, 1949, from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on a review of reports on the Monongahela

River, W. Va. and Pa., requested by a resolution of the Committee on Public Works of the Senate, adopted on October 3, 1947, and I ask unanimous consent that it be referred to the Committee on Public Works and be printed as a Senate document with illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred as indicated:

H. R. 524. An act to provide for the release of all the right, title, and interest of the United States in a certain portion of a tract of land conditionally granted by it to the county of Los Angeles;

H. R. 540. An act to provide terminal leave pay for certain officers of the Navy and Marine Corps, and for other purposes; and

H. R. 5238. An act to authorize the adjustment of the lineal positions of certain officers of the naval service, and for other purposes; to the Committee on Armed Services.

H. R. 892. An act to authorize the establishment of a Federal Interagency Committee on Recreation;

H. R. 3275. An act to provide for the sale or other disposal of certain submarginal lands located within the boundaries of Indian reservations in the States of Montana, North Dakota, and South Dakota;

H. R. 3765. An act to promote the rehabilitation of the Sisseton-Wahpeton Sioux Tribe of Indians and better utilization of the resources of the Sisseton Reservation, and for other purposes;

H. R. 4117. An act to remove the present restriction relating to the granting of privileges within Kings Canyon National Park in order that privileges hereafter granted may be consistent with those granted in other areas of the national park system, and for other purposes;

H. R. 4688. An act to ratify and confirm act 4 of the Session Laws of Hawaii, 1949, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945;

H. R. 4762. An act to amend title 18, section 3618, of the Code of Laws of the United States of America, to empower the courts to remit or mitigate forfeitures;

H. R. 4901. An act to authorize the Eastern Band of Cherokee Indians, North Carolina, to lease certain lands for a period not exceeding 40 years;

H. R. 4986. An act to amend an act entitled "An act to provide for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes," approved May 25, 1948;

H. R. 5134. An act to promote development in cooperation with the State of Colorado of the fish, wildlife, and recreational aspects of the Colorado-Big Thompson Federal reclamation project;

H. R. 5184. An act to approve contracts negotiated with the Belle Fourche irrigation district, the Deaver irrigation district, the Westland irrigation district, the Stanfield irrigation district, the Vale, Oreg., irrigation district, and the Prosser irrigation district, to authorize their execution, and for other purposes; and

H. R. 5365. An act to provide for the transfer of the vessel *Black Mallard* to the State of Louisiana for the use and benefit of the department of wildlife and fisheries of such State; to the Committee on Interior and Insular Affairs.

H. R. 3343. An act to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia; to the Committee on the District of Columbia.

H. R. 5268. An act to amend certain provisions of the Internal Revenue Code;

H. R. 5327. An act to continue until the close of June 30, 1950, the suspension of duties and import taxes on metal scrap, and for other purposes; and

H. R. 5332. An act to amend section 3 of the act of June 18, 1934, relating to the establishment of foreign-trade zones; to the Committee on Finance.

H. R. 4022. An act to extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Tex., to July 31, 1950;

H. R. 4050—An act to authorize advances of pay to personnel of the armed services upon permanent change of station, and for other purposes;

H. R. 4708. An act to amend the United Nations Participation Act of 1945; and

H. R. 5508. An act to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948; ordered to be placed on the calendar.

#### THE DOCTOR AND OUR HEALTH—ADDRESS BY SENATOR HILL

[Mr. HILL asked and obtained leave to have printed in the RECORD an address entitled "The Doctor and Our Health," delivered by him at the centennial celebration of the Medical Society of Philadelphia County, Philadelphia, Pa., May 11, 1949, which appears in the Appendix.]

#### DOES THE MARSHALL PLAN AID SOCIALISM?—ARTICLE IN THE CHRISTIAN SCIENCE MONITOR AND REPLY BY SENATOR KEM

[Mr. KEM asked and obtained leave to have printed in the RECORD an article entitled "Does the Marshall Plan Aid Socialism?—No" written by Roscoe Drummond, chief of the Washington Bureau, the Christian Science Monitor, June 27, 1949, and a letter replying to the article, written by Mr. KEM to the editor of the Christian Science Monitor, July 18, 1949, which appear in the Appendix.]

#### ADDRESS BY SENATOR CAPEHART IN REPLY TO PRESIDENT TRUMAN'S SPEECH TO THE NATION

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an address delivered by him over the radio in reply to the address to the Nation by President Truman on July 13, which appears in the Appendix.]

#### SOCIALIZED MEDICINE—ESSAY BY MISS JOYCE KELLER

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an essay on socialized medicine written by Miss Joyce Keller, a high-school student of Bluffton, Ind., which appears in the Appendix.]

#### ADDRESS BY SENATOR MARTIN BEFORE JEWISH WAR VETERANS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an address delivered by him before the Jewish War Veterans, Department of Pennsylvania, at Philadelphia, Pa., on June 18, 1949, which appears in the Appendix.]

#### BRADFORD (PA.) FLOOD-CONTROL PROJECT

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a statement submitted by him on July 13, 1949, to the Senate Committee on Public Works in support of the Bradford (Pa.) flood-control project, which appears in the Appendix.]

#### LACKAWAXEN RIVER BASIN FLOOD-CONTROL PROJECT—STATEMENT BY SENATOR MARTIN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a statement



submitted by him on July 14, 1949, to the Senate Committee on Public Works in behalf of additional authorization for the Lackawaxen River Basin flood-control project, which appears in the Appendix.]

#### MONONGAHELA RIVER NAVIGATIONAL IMPROVEMENTS—STATEMENT BY SENATOR MARTIN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a statement prepared by himself and submitted to the Senate Committee on Public Works, in support of additional authorizations for the Monongahela River navigation improvements, on July 14, 1949, which appears in the Appendix.]

#### THE THREE-HORSE TEAM—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address on the subject The Three-Horse Team, delivered by him on July 15, 1949, in Kansas City, Missouri, at the aviation celebration of the chamber of commerce, which appears in the Appendix.]

#### HARRY BRIDGES—ARTICLES FROM THE NEW YORK TIMES AND STATEMENT BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD a news item entitled "Bridges Is Named WFTU Union's Head," and an article by Louis Stark, printed in the New York Times of July 20, 1949, together with a statement by himself, which appear in the Appendix.]

#### THE ADMINISTRATION'S FISCAL POLICIES—ARTICLE BY VERMONT ROYSTER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article entitled "No Day of Ending," relating to the fiscal policies of the administration, which appears in the Appendix.]

#### THE FUTURE OF EUROPE'S MEDICAL PROFESSION

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "Many Doctors Idle in DP Camps," published in the Pittsburgh Post-Gazette of July 13, 1949, which appears in the Appendix.]

#### RELEASE OF CONSCIENTIOUS OBJECTORS—EDITORIAL FROM HARTFORD COURANT AND ARTICLE FROM CHRISTIAN CENTURY

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial from a recent issue of the Hartford Courant, and an article from the Christian Century of July 13, 1949, on the subject of release of conscientious objectors, which appear in the Appendix.]

#### A PROGRAM FOR ASIA

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an article entitled "A Program for Asia," which appears in the Appendix.]

#### NEW ENGLAND'S UNDEVELOPED WATER-POWER RESOURCES—EDITORIAL FROM BOSTON HERALD

[Mr. SALTONSTALL asked and obtained leave to have printed in the RECORD an editorial entitled "How Much Power?" published in the Boston Herald of July 18, 1949, which appears in the Appendix.]

#### ROBINSON VERSUS ROBESON—EDITORIAL FROM WASHINGTON POST

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an editorial

entitled "Robinson vs. Robeson," published in the Washington Post of July 20, 1949, which appears in the Appendix.]

#### THE NORTH ATLANTIC TREATY—EDITORIAL FROM CHATTANOOGA (TENN.) TIMES

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled "Mr. KEFAUVER's Appeal," published in the Chattanooga (Tenn.) Times of July 13, 1949, which appears in the Appendix.]

#### THE RESPONSIBILITY OF GREATNESS—EDITORIAL FROM WASHINGTON POST

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled "We Must Buy Peace," published in the Washington Post of July 14, 1949, which appears in the Appendix.]

#### A CIVIL-RIGHTS COMMISSION—EDITORIAL FROM NEW YORK TIMES

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an editorial entitled "A Civil Rights Commission," published in the New York Times of July 13, 1949, which appears in the Appendix.]

#### THE BASIC PRINCIPLE OF FAIR EMPLOYMENT—EDITORIAL FROM MINNEAPOLIS MORNING TRIBUNE

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an editorial entitled "A Basic Principle," published in the Minneapolis Morning Tribune of July 16, 1949, which appears in the Appendix.]

#### A DEFENSE OF THE ITU

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a communication from the Youngstown Typographical Union, No. 200, Youngstown, Ohio, replying to certain allegations against the ITU, which appears in the Appendix.]

#### REORGANIZATION OF FISCAL MANAGEMENT IN THE NATIONAL MILITARY ESTABLISHMENT

Mr. RUSSELL. Mr. President, on May 26 the Senate passed the 1949 amendments to the Unification Act. That bill was known as S. 1843. Section 10 of the Senate bill would have added to the original unification law a title 4 which deals with budget and fiscal accounting methods. Senate bill 1843 has not been acted upon by the House. However, the House has passed H. R. 5632, a bill introduced by Representative SHORT, of Missouri. H. R. 5632 carries that portion of the Senate bill which relates to budget and fiscal matters, and in form that is almost identical with the Senate bill. However, the bill which was enacted by the House does not contain the other provisions of the Senate bill having to do with unification of the armed services.

In order that this matter may go to conference, I ask unanimous consent that the Senate, as in legislative session, proceed to the consideration of House bill 5632.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia?

There being no objection, the Senate proceeded to consider the bill (H. R. 5632) to reorganize fiscal management in the National Military Establishment, to promote economy and efficiency, and for other purposes, which was read twice by its title.

Mr. RUSSELL. Mr. President, I ask that all after the enacting clause of the House bill be stricken, and that the text of Senate bill 1843, as passed by the Senate, be substituted therefor.

The amendment was as follows:

#### SHORT TITLE

SECTION 1. This act may be cited as the "National Security Act Amendments of 1949."

#### CHANGE IN COMPOSITION OF THE NATIONAL SECURITY COUNCIL

SEC. 2. The fourth paragraph of section 101 (a) of the National Security Act of 1947 is amended to read as follows:

"The Council shall be composed of the President; the Vice President; the Secretary of State; the Secretary of Defense, appointed under section 202; the Chairman of the National Security Resources Board, appointed under section 103; such of the Secretaries and Under Secretaries of the other Executive Departments who have been confirmed as such Secretaries by the Senate, as the President may designate from time to time; and such other officials of the Executive branch of the Government as the President, by and with the advice and consent of the Senate, may from time to time appoint to serve at the pleasure of the President as additional members of the Council."

#### CONVERSION OF THE NATIONAL MILITARY ESTABLISHMENT INTO AN EXECUTIVE DEPARTMENT

SEC. 3. Section 201 of the National Security Act of 1947 is amended to read as follows:

"SEC. 201. (a) There is hereby established, as an Executive Department of the Government, the Department of Defense, and the Secretary of Defense shall be the head thereof.

"(b) There shall be within the Department of Defense (1) the Department of the Army, the Department of the Navy, and the Department of the Air Force, and each such department shall on and after the date of enactment of the National Security Act Amendments of 1949 be military departments in lieu of their prior status as Executive Departments, and (2) all other agencies created under title II of this act.

"(c) Section 158 of the Revised Statutes, as amended, is amended to read as follows:

"SEC. 158. The provisions of this title shall apply to the following Executive Departments:

"First. The Department of State.  
"Second. The Department of Defense.  
"Third. The Department of the Treasury.  
"Fourth. The Department of Justice.  
"Fifth. The Post Office Department.  
"Sixth. The Department of the Interior.  
"Seventh. The Department of Agriculture.

"Eighth. The Department of Commerce.  
"Ninth. The Department of Labor."

"(d) The provisions of title IV of the Revised Statutes as now or hereafter amended shall be applicable to the Department of Defense."

#### THE POWERS OF THE SECRETARY OF DEFENSE

SEC. 4. Section 202 of the National Security Act of 1947 is amended to read as follows:

"SEC. 202. (a) There shall be a Secretary of Defense who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: *Provided*, That a person who has within 10 years been on active duty as a commissioned officer in a regular component of the armed services shall not be eligible for appointment as Secretary of Defense. The Secretary of Defense shall be the principal assistant to the President in all matters relating to the national security. Under the direction of the President, he shall be responsible for exercising

direction, authority, and control over the Department of Defense, including the performance of the following duties—

"(1) Establishment of policies and programs for the Department of Defense;

"(2) Exercise of direction, authority, and control over the affairs of the Department of Defense;

"(3) Taking of appropriate steps, including such coordination, transfers, and consolidations as may be necessary, to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, research, and personnel, and in such other fields, as he may deem proper, but this shall not be construed to authorize the Secretary of Defense to reassign the combatant functions assigned to the military departments by sections 205 (e), 206 (b), 206 (c), and 208 (f) hereof or to make transfers of military personnel from one military department to another or to make details or assignments of military personnel in a manner substantially to affect or change such assigned combatant functions; and

"(4) Performance with respect to the Department of Defense of all of the functions of a head of an executive department under title II of the Budget and Accounting Act of 1921, as amended:

*Provided*, That subject to the terms of this act, the Departments of Army, Navy, and Air Force shall be administered by their respective secretaries under the direction, authority, and control of the Secretary of Defense.

"(b) The Secretary of Defense shall submit annual written reports to the President and the Congress covering expenditures, work, and accomplishments of the Department of Defense, together with such recommendations as he shall deem appropriate.

"(c) The Secretary of Defense shall cause a seal of office to be made for the Department of Defense, of such design as the President shall approve, and judicial notice shall be taken thereof.

"(d) The Secretary of Defense may, without being relieved of his responsibility therefor, and unless prohibited by some specific provision of law, perform any function vested in him through or with the aid of such officials or organizational entities of the Department of Defense as he may designate.

"(e) Under such regulations as he shall prescribe, the Secretary of Defense with the approval of the President is authorized to transfer between the armed services, within the authorized commissioned strength of the respective services, officers holding permanent commissions therein: *Provided*, That no officer shall be transferred without (1) his consent, (2) the consent of the service from which the transfer is to be made, and (3) the consent of the service to which the transfer is to be made.

"(f) Officers transferred hereunder shall be appointed by the President alone to such commissioned grade, permanent and temporary, in the armed service to which transferred and be given such place on the applicable promotion list of such service as he shall determine: *Provided*, That Federal service previously rendered shall be credited for promotion, seniority, and retirement purposes as if served in the armed service to which transferred according to the provisions of law governing promotion, seniority, and retirement therein: *Provided further*, That no officer upon a transfer to any service from which previously transferred shall be given a higher grade, or place on the applicable promotion list, than that which he could have attained had he remained continuously in the service to which transferred.

"(g) Any officer transferred hereunder shall be credited with the unused leave to which he was entitled at the time of transfer."

#### DEPUTY SECRETARY OF DEFENSE; MILITARY ASSISTANTS; AND CIVILIAN PERSONNEL

SEC. 5. (a) Section 203 of the National Security Act of 1947 is amended to read as follows:

"Sec. 203. (a) There shall be a Deputy Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: *Provided*, That a person who has within 10 years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Deputy Secretary of Defense. The Deputy Secretary shall perform such duties and exercise such powers as the Secretary of Defense may prescribe and shall take precedence over the Secretaries of the Army, the Navy, and the Air Force. The Deputy Secretary shall act for, and exercise the powers of the Secretary of Defense during his absence or disability.

"(b) Officers of the armed services may be detailed to duty as assistants and personal aides to the Secretary of Defense, but he shall not establish a military staff other than those provided for by sections 211 and 212 of this act."

(b) Section 204 of the National Security Act of 1947 is amended to read as follows:

"Sec. 204. (a) The Secretary of Defense is authorized to appoint from civilian life not to exceed three special assistants to advise and assist him in the performance of his duties. Each such special assistant shall receive compensation at the rate of \$10,000 a year.

"(b) The Secretary of Defense is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such civilian personnel as may be necessary for the performance of the functions of the Department of Defense."

#### CREATING THE POSITION OF CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND PRESCRIBING HIS POWERS AND DUTIES

SEC. 6. (a) Section 210 of the National Security Act of 1947 is amended to read as follows:

"Sec. 210. There shall be within the Department of Defense a War Council composed of the Secretary of Defense, as Chairman, who shall have power of decision; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Chairman of the Joint Chiefs of Staff; the Chief of Staff, United States Army; the Chief of Naval Operations; and the Chief of Staff, United States Air Force. The War Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces and shall consider and report on such other matters as the Secretary of Defense may direct."

(b) Section 211 of the National Security Act of 1947 is amended to read as follows:

"Sec. 211. (a) There is hereby established within the Department of Defense the Joint Chiefs of Staff, which shall consist of a Chairman, who shall have no vote but shall be the head thereof; the Chief of Staff, United States Army; the Chief of Naval Operations; and the Chief of Staff, United States Air Force.

"(b) The Chairman shall be appointed by the President, by and with the advice and consent of the Senate, from among the Regular officers of the armed services to serve at the pleasure of the President for a term of 2 years and shall be eligible for one reappointment, except in time of war when there shall be no limitation on the number of reappointments. The person appointed as Chairman shall, while holding such office, take precedence over all other officers of the armed services, and shall receive the highest rate of pay and allowances prescribed by law for the Chief of Staff of the Army, the Chief of Naval Operations, or the Chief of Staff of the Air Force: *Provided*, That the Chair-

man shall not, by virtue of his office, exercise military command over the Joint Chiefs of Staff or the services.

"(c) Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff to perform, in addition to such other duties as the Secretary of Defense may direct, the following duties:

"(1) preparation of strategic plans and provision for the strategic direction of the military forces;

"(2) preparation of joint logistic plans and assignment to the military services of logistic responsibilities in accordance with such plans;

"(3) establishment of unified commands in strategic areas when such unified commands are in the interests of national security;

"(4) formulation of policies for joint training of the military forces;

"(5) formulation of policies for coordinating the education of members of the military forces;

"(6) review of major material and personnel requirements of the military forces, in accordance with strategic and logistic plans; and

"(7) providing United States representation on the Military Staff Committee of the United Nations in accordance with the provisions of the Charter of the United Nations.

"(d) The Chairman of the Joint Chiefs of Staff as such shall act as the principal military adviser to the President and the Secretary of Defense and shall perform such other duties as the President and the Secretary of Defense may direct or as may be prescribed by law."

(c) Section 212 of the National Security Act of 1947 is amended to read as follows:

"Sec. 212. There shall be, under the Joint Chiefs of Staff, a Joint Staff to consist of not to exceed 210 officers and to be composed of approximately equal numbers of officers appointed by the Joint Chiefs of Staff from each of the three armed services. The Joint Staff, operating under a Director thereof appointed by the Joint Chiefs of Staff with the approval of the Secretary of Defense, shall perform such duties as may be directed by the Joint Chiefs of Staff. The Director shall be an officer junior in grade to all members of the Joint Chiefs of Staff."

#### CHANGING THE RELATIONSHIP OF THE SECRETARY OF DEFENSE TO THE MUNITIONS BOARD

SEC. 7. Section 213 of the National Security Act of 1947 is amended to read as follows:

"Sec. 213. (a) There is hereby established in the Department of Defense a Munitions Board (hereinafter in this section referred to as the 'Board').

"(b) The Board shall be composed of a Chairman, who shall be the head thereof, and an Under Secretary or Assistant Secretary from each of the three military departments, to be designated in each case by the Secretaries of their respective departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$14,000 a year.

"(c) The Board, or if the Secretary of Defense should so prescribe, the Chairman, after consultation with the Board, shall assist the Secretary of Defense in performing such duties as the Secretary of Defense may direct, including, in the discretion of the Secretary of Defense, any or all of the following in support of strategic and logistic plans and in consonance with guidance in those fields provided by the Joint Chiefs of Staff—

"(1) coordination of the appropriate activities with regard to industrial matters, including the procurement, production, and distribution plans of the Department of Defense;



"(2) planning for the military aspects of industrial mobilization;

"(3) assignment of procurement responsibilities among the several military departments and planning for standardization of specifications and for the greatest practicable allocation of purchase authority of technical equipment and common-use items on the basis of single procurement;

"(4) preparation of estimates of potential production, procurement, and personnel for use in evaluation of the logistic feasibility of strategic operations;

"(5) determination of relative priorities of the various segments of the military procurement programs;

"(6) supervision of such subordinate agencies as are or may be created to consider the subjects falling within the scope of the Board's responsibilities;

"(7) regrouping, combining, or dissolving of existing interservice agencies operating in the fields of procurement, production, and distribution in such manner as to promote efficiency and economy;

"(8) maintenance of liaison with other departments and agencies for the proper correlation of military requirements with the civilian economy, particularly in regard to the procurement or disposition of strategic and critical material and the maintenance of adequate reserves of such material, and making of recommendations as to policies in connection therewith; and

"(9) assembly and review of material and personnel requirements presented by the Joint Chiefs of Staff and by the production, procurement, and distribution agencies assigned to meet military needs, and making of recommendations thereon to the Secretary of Defense.

"(d) When the Chairman of the Board first appointed has taken office, the Joint Army and Navy Munitions Board shall cease to exist and all its records and personnel shall be transferred to the Munitions Board.

"(e) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions."

#### CHANGING THE RELATIONSHIP OF THE SECRETARY OF DEFENSE TO THE RESEARCH AND DEVELOPMENT BOARD

SEC. 8. Section 214 of the National Security Act of 1947 is amended to read as follows:

"SEC. 214. (a) There is hereby established in the Department of Defense a Research and Development Board (hereinafter in this section referred to as the 'Board'). The Board shall be composed of a Chairman, who shall be the head thereof, and two representatives from each of the Departments of the Army, Navy, and Air Force, to be designated by the Secretaries of their respective Departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$14,000 a year. The purpose of the Board shall be to advise the Secretary of Defense as to the status of scientific research relative to the national security, and to assist him in assuring adequate provision for research and development on scientific problems relating to the national security.

"(b) The Board, or if the Secretary of Defense should so prescribe, the Chairman, after consultation with the Board, shall assist the Secretary of Defense in performing such duties as the Secretary of Defense may direct, including, in the discretion of the Secretary of Defense, any or all of the following—

"(1) preparation of a complete and integrated program of research and development for military purposes;

"(2) advising with regard to trends in scientific research relating to national security and the measures necessary to assure continued and increasing progress;

"(3) coordination of research and development among the military departments, and allocation among them of responsibilities for specific programs;

"(4) formulation of policy for the Department of Defense in connection with research and development matters involving agencies outside the Department of Defense; and

"(5) consideration of the interaction of research and development and strategy, and advising the Joint Chiefs of Staff in connection therewith.

"(c) When the Chairman of the Board first appointed has taken office, the Joint Research and Development Board shall cease to exist and all its records and personnel shall be transferred to the Research and Development Board.

"(d) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions."

#### COMPENSATION OF SECRETARY OF DEFENSE, DEPUTY SECRETARY OF DEFENSE, SECRETARIES OF MILITARY DEPARTMENTS, AND CONSULTANTS

SEC. 9. (a) Section 301 of the National Security Act of 1947 is amended to read as follows:

"SEC. 301. (a) The Secretary of Defense shall receive the compensation prescribed by law for heads of executive departments.

"(b) The Deputy Secretary of Defense shall receive compensation at the rate of \$14,500 a year.

"(c) The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each receive compensation at the rate of \$14,000 a year."

(b) Section 303 (a) of the National Security Act of 1947 is amended to read as follows:

"(a) The Secretary of Defense, the Chairman of the National Security Resources Board, the Director of Central Intelligence, and the National Security Council, acting through its Executive Secretary, are authorized to appoint such advisory committees and to employ, consistent with other provisions of this act, such part-time advisory personnel as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or position under the United States for which they receive compensation, while serving as members of such committees, shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or may receive compensation at a rate not to exceed \$50 for each day of service, as determined by the appointing authority."

#### REORGANIZATION OF FISCAL MANAGEMENT TO PROMOTE ECONOMY AND EFFICIENCY

SEC. 10. The National Security Act of 1947 is amended by inserting at the end thereof the following new title:

##### "TITLE IV

#### "PROMOTION OF ECONOMY AND EFFICIENCY THROUGH ESTABLISHMENT OF UNIFORM BUDGETARY AND FISCAL PROCEDURES AND ORGANIZATIONS

##### "Comptroller of Department of Defense

"SEC. 401. (a) In order to implement the provisions of section 202 (a) conferring upon the Secretary of Defense authority and control over the military budget, there is hereby established in the Office of the Secretary of Defense an office to be known as the Office of Comptroller of the Department of Defense, which shall be headed by a Comptroller to be appointed from civilian life by the Secretary of Defense and who shall receive compensation at the rate prescribed by law for special assistants to the Secretary of Defense.

"(b) The Comptroller shall advise and assist the Secretary of Defense in perform-

ing such budgetary and fiscal functions as may be required to carry out the powers conferred upon the Secretary of Defense by section 202 (a) of this act and by this title, including but not limited to those specified in this subsection. Subject to the authority and direction of the Secretary of Defense, the Comptroller shall—

"(1) supervise and direct the preparation of the budget estimates of the Department of Defense; and

"(2) establish, and supervise the execution of—

"(A) principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—

"(i) the preparation and execution of the budgets,

"(ii) fiscal, cost, operating, and capital property accounting,

"(iii) progress and statistical reporting,

"(iv) internal audit, and

"(B) policies and procedures relating to the expenditure and collection of funds administered by the Department of Defense; and

"(3) establish uniform terminologies, classifications, and procedures in all such matters.

#### "MILITARY DEPARTMENT BUDGET AND FISCAL ORGANIZATION—DEPARTMENTAL COMPTROLLERS

"SEC. 402. (a) The Secretary of Defense shall cause budgeting, accounting, progress and statistical reporting, and administrative organization structure and managerial procedures relating thereto in each of the military departments to be organized and conducted in a manner consistent with the operations of the Office of the Comptroller of the Department of Defense.

"(b) There is hereby established in each of the three military departments the Office of Comptroller. Subject to the authority of the Secretary of Defense as set forth in section 202 (a) of this act and the authority granted by this title, and subject to the authority of the respective departmental Secretaries, the comptrollers of the military departments shall be responsible for all budgeting, accounting, and progress and statistical reporting in their respective departments and for the administrative organization structure and managerial procedures relating thereto. The Secretaries of the military departments may in their discretion appoint either civilian or military personnel as comptrollers of the military departments. Departmental comptrollers shall be under the direction and supervision of, and directly responsible to, either the Secretary, the Under Secretary, or an Assistant Secretary of the respective military departments. Where the departmental comptroller is not a civilian, the Secretary of the department concerned shall appoint a civilian as Deputy Comptroller.

##### "PERFORMANCE BUDGET

"SEC. 403. (a) The budget estimates of the Department of Defense shall be prepared, presented, and justified, where practicable, and authorized programs shall be administered, in such form and manner as the Secretary of Defense, subject to the authority and direction of the President, may determine, so as to account for, and report, the cost of performance of readily identifiable functional programs and activities, with segregation of operating and capital programs. So far as practicable, the budget estimates and authorized programs of the military departments shall be set forth in readily comparable form and shall follow a uniform pattern.

"(b) In order to expedite the conversion from present budget and accounting methods to the cost-of-performance basis contemplated in this title, the Secretary of Defense, with the approval of the President, is authorized and directed, until the end of the

second full fiscal year following the date of enactment of this act, to make such transfers and adjustments within each military department between appropriations available for obligation by such department in such manner as he deems necessary to cause the obligation and administration of funds and the reports of expenditures to reflect the cost of performance of such programs and activities. Reports of transfers and adjustments made pursuant to the authority of this subsection shall be made currently to the President and the Congress.

#### "PROGRAM ADJUSTMENTS

"Sec. 404. After the end of the second full fiscal year following the date of enactment of this act, the Secretary of Defense, with the approval of the President, is authorized and directed to make transfers and adjustments between appropriations within each military department in order to provide maximum economy and efficiency in the operation of programs for which appropriations may be made from time to time, but no appropriation shall be increased or decreased thereby by more than 5 percent. Reports of transfers and adjustments made pursuant to the authority of this section shall be made currently to the President and the Congress.

#### "AUTHORIZATIONS FOR APPROPRIATIONS

"Sec. 405. In order to provide the most effective control by the President and the Congress over the moneys in the Treasury not appropriated to specific purposes and to achieve economy and efficiency in matters arising out of the availability and expenditure of moneys which may, from time to time, be appropriated to the Department of Defense, no requests for legislation, which, if enacted, would authorize any appropriations to be made to any of the military departments, shall be transmitted to the Bureau of the Budget, the President, or the Congress by the military department concerned, or by the Department of Defense, without the prior approval of the Secretary of Defense.

#### "OBLIGATION OF APPROPRIATIONS

"Sec. 406. In order to prevent overdrafts and deficiencies in any fiscal year for which appropriations are made, on and after the beginning of the next fiscal year following the date of enactment of this act appropriations made to the Department of Defense or to the military departments, and reimbursements thereto, shall be available for obligation and expenditure only after the Secretary of Defense shall approve scheduled rates of obligation, or modifications thereof: *Provided, however,* That nothing in this section shall affect the right of the Department of Defense to incur deficiencies under any existing laws or prevent it from incurring deficiencies in order to meet the requirements of national interest or security arising out of emergencies which may be declared by the President to exist, and in such event to the extent that he may direct.

#### "WORKING-CAPITAL FUNDS

"Sec. 407. (a) In order more effectively to control and account for the cost of programs and work performed in the Department of Defense, the Secretary of Defense is authorized to require the establishment of working-capital funds in the Department of Defense for the purpose of—

"(1) financing inventories of such stores, supplies, materials, and equipment as he may designate; and

"(2) providing working capital for such industrial-type activities, and for such commercial-type activities as provide common services within or among the departments and agencies of the Department of Defense, as he may designate.

"(b) The Secretary of the Treasury is authorized and directed to establish on the books of the Treasury Department at the request of the Secretary of Defense the working-

capital funds established pursuant to the authority of this section.

"(c) Such funds shall be—

"(1) charged, when appropriate, with the cost of stores, supplies, materials, and equipment procured or otherwise acquired, manufactured, repaired, issued, and consumed and of services rendered or work performed, including applicable administrative expenses; and

"(2) reimbursed from available appropriations or otherwise credited for the cost of stores, supplies, materials, or equipment furnished and of services rendered or work performed, including applicable administrative expenses.

"Reports of the condition and operations of such funds shall be made annually to the President and to the Congress.

"(d) The Secretary of Defense is authorized to provide capital for such working-capital funds by capitalizing inventories on hand and, with the approval of the President, by transfer, until December 31, 1954, from unexpended balances of any appropriations of the military departments not carried to the surplus fund of the Treasury: *Provided,* That no deficiency shall be incurred in any such appropriation as a result of any such transfer. To the extent that such methods do not, in the determination of the Secretary of Defense, provide adequate amounts of working capital, there is hereby authorized to be appropriated, out of any moneys in the Treasury not appropriated for other purposes, such sums as may be necessary to provide adequate working capital.

"(e) Subject to the authority and direction of the Secretary of Defense, the Secretaries of the military departments shall allocate responsibility within their respective military departments for the execution of functions which each military department is authorized by law to perform in such a manner as to effect the most economical and efficient organization and operation of the activities and use of the inventories for which working-capital funds are authorized by this section.

"(f) No greater cost shall be incurred by the requisitioning agency for stores, supplies, materials, or equipment drawn from inventories, and for services rendered or work performed by the industrial-type or commercial-type activities for which working-capital funds are authorized by this section, than the amount of appropriations or funds available for such purposes.

"(g) The Secretary of Defense is authorized to issue regulations to govern the operation of activities and use of inventories authorized by this section, which regulations may, whenever he determines the measures set forth in this subsection to be required by the needs of the Department of Defense, and when they are authorized by law, permit stores, supplies, materials, and equipment to be sold to, and services to be rendered or work performed for, purchasers or users outside the Department of Defense. In such cases, the working-capital funds involved may be reimbursed by charges against appropriate appropriations or by payments received in cash.

"(h) The appraised value of all stores, supplies, materials, and equipment returned to such working-capital funds from any department, activity, or agency, may be charged to the working-capital fund concerned and the proceeds thereof shall be credited to the current appropriations concerned; the amounts so credited shall be available for expenditures for the same purposes as the appropriations credited: *Provided,* That the provisions of this subsection shall not permit credits to appropriations as the result of capitalization of inventories authorized by subsection (d) of this section.

#### "MANAGEMENT FUNDS

"Sec. 408. The act of July 3, 1942 (56 Stat. 645, ch. 484), as amended, is hereby further amended to read as follows:

"(a) For the purpose of facilitating the economical and efficient conduct of operations in the Department of Defense which are financed by two or more appropriations where the costs of the operations are not susceptible of immediate distribution as charges to such appropriations, there are hereby established the Navy Management Fund, the Army Management Fund, and the Air Force Management Fund, each within, and under the direction of the respective Secretaries of, the Departments of the Navy, Army, or Air Force, as the case may be. There are authorized to be appropriated from time to time such funds as may be necessary to accomplish the purposes of the funds.

"(b) The corpus of the Navy Management Fund shall consist of the sum of \$1,000,000 heretofore transferred to the Naval Procurement Fund from the Naval Emergency Fund (17X0300), which amount, and all balances in, and obligations against, any accounts in the Naval Procurement Fund, are hereby transferred to the Navy Management Fund; the corpus of the Army Management Fund shall consist of the sum of \$1,000,000, which shall be transferred thereto from any unobligated balance of any appropriation available to the Department of the Army; the corpus of the Air Force Management Fund shall consist of the sum of \$1,000,000, which shall be transferred thereto from any unobligated balance of any appropriation available to the Department of the Air Force; in each case together with such additional funds as may from time to time be appropriated to any of said funds. Accounts for the individual operations to be financed under the respective management funds shall be established only upon approval by the Secretary of Defense.

"(c) Expenditures may be made from said management funds from time to time for material (other than material for stock) and for personal and contractual services under such regulations as may be prescribed by the Secretary of Defense: *Provided,* (1) That no obligation shall be incurred against any such fund which is not properly chargeable to available funds under an appropriation of the department within which the fund is established or, whenever necessary to effectuate purposes authorized by this act, as amended, to funds of another department or agency within the Department of Defense, and (2) that each fund shall be promptly reimbursed from the appropriate appropriations of such department for all expenditures properly chargeable thereto. Nothing herein or in any other provision of law shall be construed to prevent advances by check or warrant, or reimbursements to any of said management funds from appropriations of said departments on the basis of the estimated cost of a project, such estimated cost to be revised and necessary appropriation adjustments made when adequate data become available.

"(d) Except as otherwise provided by law, amounts advanced to the management funds under the provisions of this Act shall be available for obligation only during the fiscal year in which they are advanced: *Provided, however,* That nothing contained in this Act shall alter or limit the authorized period of availability of the funds from which such advances are made. Final adjustments of advances in accordance with actual costs shall be effected with the appropriate funds for the fiscal year.

"(e) The portion of the Naval Appropriation Act, 1945 (58 Stat. 301, 310), relating to the Naval Procurement Fund is hereby repealed."

#### "ADJUSTMENT OF ACCOUNTS

"Sec. 409. (a) When under authority of law a function or an activity is transferred or assigned from one department or agency



within the Department of Defense to another such department or agency, the balances of appropriations which are determined by the Secretary of Defense to be available and necessary to finance or discharge the function or activity so transferred or assigned may, with the approval of the President, be transferred to, and be available for use by the department or agency to which said function or activity is transferred or assigned for any purpose for which said funds were originally available. Balances so transferred shall be credited to any applicable existing appropriation account or accounts, or to any new appropriation account or accounts, which are hereby authorized to be established on the books of the Treasury Department, of the department or organization to which such function or activity is transferred, and shall be merged with funds in the applicable existing or newly established appropriation account or accounts and thereafter accounted for as one fund. Balances transferred to existing accounts shall be subject only to such limitations as are specifically applicable to such accounts and those transferred to new accounts shall be subject only to such limitations as are applicable to the appropriations from which they are transferred.

"(b) The number of employees which in the opinion of the Secretary of Defense is required for such transferred functions or activities may, with the approval of the Director of the Bureau of the Budget, be deducted from any personnel maximum or limitation of the department or agency within the Department of Defense from which such function or activity is transferred, and added to any such personnel maximum or limitation of the department or agency to which such function or activity is transferred.

#### "AVAILABILITY OF REIMBURSEMENTS

"SEC. 410. To carry out the purposes of this Act, reimbursements made under the authority of the Economy Act (31 U. S. C. 686), and sums paid by or on behalf of personnel of any department or organization for services rendered or supplies furnished, may be credited to authorized replacing or other accounts. Funds credited to such accounts shall remain available for obligation for the same period as the funds in the account so credited and each such account shall constitute one fund on the books of the Treasury Department.

#### "COMMON USE OF DISBURSING FACILITIES

"SEC. 411. To the extent authorized by the Secretary of Defense, disbursing officers of the Departments of the Army, Navy, and Air Force may, out of accounts of advances available to them, make disbursements covering obligations arising in connection with any function or activity of any other department or organization within the Department of Defense and charge upon vouchers the proper appropriation or appropriations of the other department or organization: *Provided*, That all said expenditures shall subsequently be adjusted in settlement of disbursing officers' accounts.

#### "REPORTS OF PROPERTY

"SEC. 412. The Secretary of Defense shall cause property records to be maintained in the three military departments, so far as practicable, on both a quantitative and monetary basis, under regulations which he shall prescribe. Such property records shall include the fixed property, installations, and major items of equipment as well as the supplies, materials, and equipment held in store by the armed services. The Secretary shall report annually thereon to the President and to the Congress.

#### "REPEALING AND SAVING PROVISIONS

"SEC. 413. All laws, orders, and regulations inconsistent with the provisions of this title are repealed insofar as they are incon-

sistent with the powers, duties, and responsibilities enacted hereby: *Provided*, That the powers, duties, and responsibilities of the Secretary of Defense under this title shall be administered in conformance with the policy and requirements for administration of budgetary and fiscal matters in the Government generally, including accounting and financial reporting, and that nothing in this title shall be construed as eliminating or modifying the powers, duties, and responsibilities of any other department, agency, or officer of the Government in connection with such matters."

#### MISCELLANEOUS AND TECHNICAL AMENDMENTS AND SAVING PROVISIONS

SEC. 11. (a) The National Security Act of 1947 is amended by striking out the term "National Military Establishment", wherever it appears in such act, and inserting in lieu thereof "Department of Defense."

(b) Section 207 (a) of the National Security Act of 1947 is amended to read as follows:

"SEC. 207. (a) Within the Department of Defense there is hereby established a military department to be known as the Department of the Air Force, and the Secretary of the Air Force who shall be the head thereof. The Secretary of the Air Force shall be appointed from civilian life by the President by and with the advice and consent of the Senate."

(c) Section 207 (b) of the National Security Act of 1947 is repealed.

(d) The first sentence of section 208 (a) of the National Security Act of 1947 is amended by striking out the word "under" and inserting in lieu thereof the word "within."

(e) Section 308 (b) of the National Security Act of 1947 is amended to read as follows:

"(b) As used in this act, the term 'Department of Defense' shall be deemed to include the military departments of the Army, the Navy, and the Air Force, and all agencies created under title II of this act."

(f) The titles of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Under Secretaries and the Assistant Secretaries of the Departments of the Army, Navy, and Air Force, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board, shall not be changed by virtue of this act, and the reappointment of the officials holding such titles on the effective date of this act shall not be required. It is hereby declared to be the intention of Congress that section 203 (a) of the National Security Act of 1947, as amended by section 5 of this act, shall not be deemed to have created a new office of Deputy Secretary of Defense but shall be deemed to have continued in existence, under a new title, the Office of Under Secretary of Defense which was established by the act entitled "An act to amend the National Security Act of 1947 to provide for an Under Secretary of Defense", approved April 2, 1949 (Public Law 36, 81st Cong.). The title of the official holding the Office of Under Secretary of Defense on the effective date of this act shall be changed to Deputy Secretary of Defense and the reappointment of such official shall not be required.

(g) All laws, orders, regulations, and other actions relating to the National Military Establishment, the Departments of the Army, the Navy, or the Air Force, or to any officer or activity of such establishment or such departments, shall, except to the extent inconsistent with the provisions of this act, have the same effect as if this act had not been enacted; but, after the effective date of this act, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or establishment, shall be deemed to have vested such function in or relate to the officer or department, executive or military, succeeding the officer, department, or establishment in which such function was

vested. For purposes of this subsection the Department of Defense shall be deemed the department succeeding the National Military Establishment, and the military departments of Army, Navy, and Air Force shall be deemed the departments succeeding the Executive Departments of Army, Navy, and Air Force.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill, H. R. 5632, was read the third time and passed.

#### ON-THE-SPOT AUDITS OF FISCAL RECORDS OF OFFICE OF SERGEANT AT ARMS OF HOUSE OF REPRESENTATIVES

The VICE PRESIDENT laid before the Senate the joint resolution (H. J. Res. 298) to provide for on-the-spot audits by the General Accounting Office of the fiscal records of the Office of the Sergeant at Arms of the House of Representatives, which was read twice by its title.

Mr. HAYDEN. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the joint resolution (H. J. Res. 298) was considered, order to a third reading, read the third time, and passed.

#### PRINTING OF ADDITIONAL COPIES OF CERTAIN PUBLICATIONS OF COMMITTEE ON UN-AMERICAN ACTIVITIES

The VICE PRESIDENT laid before the Senate House Concurrent Resolution 52, which was read, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed 250,000 additional copies each of the publications of the Committee on Un-American Activities entitled "100 Things You Should Know About Communism in the U. S. A.," "100 Things You Should Know About Communism and Religion," as amended, "100 Things You Should Know About Communism and Education," "100 Things You Should Know About Communism and Labor," and "100 Things You Should Know About Communism and Government": *Provided*, That the above-named publications be printed in one volume, of which 125,000 copies shall be for the use of the Committee on Un-American Activities of the House of Representatives and 125,000 copies shall be for the House folding room; be it further resolved

That there be printed 250,000 additional copies of the publication of the Committee on Un-American Activities entitled "Spotlight on Spies," of which 125,000 copies shall be for the use of the Committee on Un-American Activities of the House of Representatives and 125,000 copies shall be for the House folding room.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the concurrent resolution.

The motion was agreed to.

#### RUDOLF A. V. RAFF

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 584) for the relief of Rudolf A. V. Raff, which was to strike out all after the enacting clause and insert:

That in the administration of the immigration laws Rudolf A. V. Raff shall, upon

application at a port of entry of the United States, be admitted for permanent residence without an immigration visa, provided he meets all the other requirements of the immigration laws. Upon his admission into the United States, the Secretary of State shall deduct one number from the quota for Austria for the year in which the admission occurs or from such quota for the first succeeding year.

Mr. McCARRAN. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### PENSION, ETC., TO INCOMPETENT VETERANS WITHOUT DEPENDENTS DURING HOSPITALIZATION

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 266) modifying a limitation affecting the pension, compensation, or retirement pay payable on account of an incompetent veteran without dependents during hospitalization, institutional or domiciliary care, which was, on page 2, line 5, to strike out "veterans" and insert "veteran's."

Mr. GEORGE. Mr. President, the amendment of the House is an entirely corrective one, and I move that the Senate concur in the House amendment.

The motion was agreed to.

#### EFFECTIVE DATE OF CERTAIN AWARDS OF PENSIONS BY VETERANS' ADMINISTRATION

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 811) to adjust the effective date of certain awards of pensions and compensations payable by the Veterans' Administration, which were, on page 2 line 5, to strike out "day the claim" and insert "date the award"; on page 2, line 6, to strike out "allowed had it" and insert "effective had claim"; and on page 2, line 6, to strike out "within 1 year of the" and insert "on the date of."

Mr. GEORGE. The amendments are entirely technical and corrective in point of language, and I move that the Senate concur in the House amendments.

The motion was agreed to.

#### EXTENSION OF AUTHORITY OF ADMINISTRATOR OF VETERANS' AFFAIRS RESPECTING LEASES AND LEASED PROPERTY

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1010) to extend for 2 years the authority of the Administrator of Veterans' Affairs respecting leases and leased property, which were, on page 1, line 7, to strike out "1951" and insert "1950"; and to amend the title so as to read: "An act to extend for 1 year the authority of the Administrator of Veterans' Affairs respecting leases and leased property."

Mr. GEORGE. The House amendments provide for cutting down the term of extension to 1 year. I move that the Senate concur in the House amendments.

The motion was agreed to.

#### CONSTRUCTION OF RENTAL HOUSING ON OR IN MILITARY INSTALLATIONS

The VICE PRESIDENT laid before the Senate the amendment of the House of

Representatives to the bill (S. 1184) to encourage construction of rental housing on or in area adjacent to Army, Navy, Marine Corps, and Air Force installations, and for other purposes, which was, on page 6, line 10, after the word "use" to insert a comma and "except that if the Commissioner finds in exceptional cases there is a need for larger sized family units in any project the mortgage may involve a principal obligation in an amount not to exceed \$9,000 per family unit for such part of such property or project as may be attributable to dwelling use."

Mr. MAYBANK. I move that the Senate disagree to the amendment, ask for a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

Mr. SALTONSTALL. Mr. President, as a member of the Armed Services Committee, I should simply like to ask if the Senator would explain what the amendment would do.

Mr. MAYBANK. I suggest that the clerk read the amendment. It provides merely for an increase in the amount of money, I think, from \$8,100 to \$9,000.

Mr. WHERRY. It is an increase of \$900 in the insurance feature, is it not?

Mr. MAYBANK. That is correct.

Mr. WHERRY. The amendment was placed on the bill in the House.

Mr. MAYBANK. The amendment was submitted by Representative SPENCE.

Mr. WHERRY. Mr. President, I have no objection.

The VICE PRESIDENT. The question is on the motion of the Senator from South Carolina [Mr. MAYBANK] that the Senate disagree to the House amendment, ask for a conference with the House thereon, and that the Chair appoint conferees.

The motion was agreed to; and the Vice President appointed Mr. MAYBANK, Mr. SPARKMAN, Mr. DOUGLAS, Mr. FLANDERS, and Mr. CAIN conferees on the part of the Senate.

#### AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938

The Vice President laid before the Senate the amendment of the House of Representatives to the bill (S. 447) to amend the Civil Aeronautics Act of 1938, as amended, to regulate the transportation, packing, marking, and description of explosives and other dangerous articles, which was, to strike out all after the enacting clause and insert:

That section 902 of the Civil Aeronautics Act of 1938, as amended, is amended by inserting after subsection (g) thereof the following new subsection:

#### "TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

"(h) (1) Any person who knowingly delivers or causes to be delivered to an air carrier or to the operator of any civil aircraft for transportation in air commerce, or who causes the transportation in air commerce of, any shipment, baggage, or property, the transportation of which would be prohibited by any rule, regulation, or requirement prescribed by the Civil Aeronautics Board, under title VI of this act, relating to the transportation, packing, marking, or description of explosives or other dangerous articles shall, upon conviction thereof for each such offense, be subject to a fine of not more than \$1,000, or to imprisonment not exceeding 1 year, or

to both such fine and imprisonment: *Provided*, That when death or bodily injury of any person results from an offense punishable under this subsection, the person or persons convicted thereof shall, in lieu of the foregoing penalty, be subject to a fine of not more than \$10,000 or to imprisonment not exceeding 10 years, or to both such fine and imprisonment.

"(2) In the exercise of its authority under title VI of this act, the Civil Aeronautics Board may provide by regulation for the application in whole or in part of the rules or regulations of the Interstate Commerce Commission (including future amendments and additions thereto) relating to the transportation, packing, marking, or description of explosives, or other dangerous articles for surface transportation, to the shipment and carriage by air of such articles. Such applicability may be terminated by the Board at any time. While so made applicable, any such rule or regulation, or part thereof, of the Interstate Commerce Commission shall for the purpose of this act be deemed to be a regulation of the Board prescribed under title VI."

Mr. JOHNSON of Colorado. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### REMOVAL OF RESTRICTIONS ON CERTAIN LANDS AUTHORIZED TO BE CONVEYED TO TRUSTEES OF PORTER ACADEMY

The VICE PRESIDENT laid before the Senate the bill (H. R. 4466) removing certain restrictions imposed by the act of March 8, 1888, on certain lands authorized by such act to be conveyed to the trustees of Porter Academy.

Mr. MAYBANK. Mr. President, I move that House bill 4466 be indefinitely postponed, for the reason that the House passed Senate bill 1742, similar to the House bill on the last calendar call.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

#### COMMENTS BY STATE DEPARTMENT ON HOOVER COMMISSION REPORTS

Mr. McCLELLAN. Mr. President, I have received from the State Department comments on the Hoover Commission reports as they affect that Department. I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks a statement which I have prepared on the subject, together with two letters from the Department.

There being no objection, the statement and letters were ordered to be printed in the RECORD, as follows:

#### STATEMENT OF SENATOR JOHN L. McCLELLAN, CHAIRMAN, SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Senator JOHN L. McCLELLAN, of Arkansas, chairman of the Senate Committee on Expenditures in the Executive Departments, released a letter today from Mr. John E. Peurifoy, Deputy Under Secretary, Department of State, with reference to implementation of recommendations of the Hoover Commission within that Department. This is the fourteenth such release based on reports received by the committee from the various Federal agencies in response to a request from the chairman for comments relative to the impact of the recommendations affecting such agencies, and administrative action taken to comply with those which will require no legislation.



Mr. Peurifoy states that the enactment of Public Law 73, on the reorganization of the Department of State, is all the legislative authority that will be required at this time to provide the necessary legal authorization for carrying out the organizational recommendations of the Commission, and that it is not proposed to seek further action at this time on recommendation No. 20 (of the Hoover Commission Report on Foreign Affairs), pertaining to the amalgamation of the permanent State Department establishment in Washington and the personnel of the Foreign Service. He states that "authorizing legislation cannot be drafted until a more thorough study has been made and detailed plans have been prepared. It is contemplated that the study and detailed plans can be completed in calendar year 1949, with a view to the transmittal of draft legislation to the Congress early in calendar 1950." He also indicated that the Department will avail itself of the services of an advisory board of outstanding Americans experienced in foreign affairs in this undertaking, as recommended by the Commission.

As a result of the recommendations of two departmental task forces (a) on the organization of the offices presently administered by the Assistant Secretary for administration, and (b) the integration of economic, political, public affairs, and intelligence work into four regional area bureaus, the administrative activities located in Washington have been grouped with the offices of the Foreign Service, and working groups are now preparing to implement the recommendations which relate to redistribution of responsibilities in line with the Hoover Commission's recommendations, subject to "some modifications as necessitated by analysis of the reorganization problem."

A third departmental task force, established to deal with the organization and functions of the top structure of the Department and its relationships with other departments and with the process of policy making, has not yet completed its report, but "has made available its recommendations for use in related aspects of reorganization installation."

Mr. Peurifoy also informed the committee that Hoover Recommendation No. 9, providing additional staff facilities, had been effectuated under provisions of Public Law 73, and that the Operations Committee as recommended (No. 19) has already been established by administrative action and is functioning in the manner proposed by the Commission.

In commenting on the across-the-board recommendations of the Hoover Commission, the Under Secretary states that "generally, the Department will strive to effectuate those proposals which do not require authorization from the Congress or the President" and "shall endeavor to improve its organization and operations along lines basically consistent with the Commission's recommendations contained in its report on General Management in the Executive Branch."

In a separate letter from Mr. W. Park Armstrong, Jr., Special Assistant for Research and Intelligence, the Department reports that "along with the rest of the Department of State, the Research and Intelligence organization is in the process of making use of and following the recommendations of the Hoover Commission." Some of the changes indicated as now being made include: (1) Creation of an over-all board as a means of periodic review by all interested areas of the Department in the allocations and priorities for the intelligence product, to assure that the Department's guidance to the Central Intelligence Agency will properly reflect the Department's needs; (2) strengthening of internal organizational mechanism for the determination of priorities on the kinds of intelligence to be produced and the con-

sumers for whom it will be prepared; (3) establishment of an Estimates Group to maintain continuous scrutiny of foreign political, economic, and sociological problems on a world-wide basis and to prepare intelligence estimates, prognoses, and forecasts upon request; (4) assignment of intelligence advisers to the regional action bureaus and to the functional staff offices in order that close relationships may be maintained between the geographic and other units of the Department and the research divisions; (5) grouping in one staff unit, reporting directly to the Special Assistant for Research and Intelligence, the officers performing high level liaison with the CIA and other intelligence agencies; and (6) providing a special officer to work with the Secretary's planning adviser, and arranging that this officer will sit and work with the policy planning staff.

The letters from the Department of State follow:

DEPARTMENT OF STATE,  
Washington, July 12, 1949.

The Honorable JOHN L. MCCLELLAN,  
Chairman, Committee on Expenditures in the Executive Departments,  
United States Senate.

MY DEAR SENATOR MCCLELLAN: Reference is made to your letter dated May 4, 1949, to the Secretary of State requesting advice relative to any further legislative action required to effectuate fully the reorganization suggested by the Hoover Commission.

Public Law 73, enacted by this Congress, is the only legislative action that will be required at this time to provide the legal authorization for carrying out the organizational recommendations of the Commission or Organization of the Executive Branch of the Government.

It is not proposed to seek the legislation from this session of the Congress that will be necessary to carry out recommendation No. 20 of the Commission pertaining to the amalgamation of the permanent State Department established in Washington and the personnel of the Foreign Service. After thorough consideration of this recommendation it has been concluded that the authorizing legislation cannot be drafted until a more thorough study has been made and detailed plans have been prepared. It is contemplated that the study and detailed plans can be completed in calendar 1949 with a view to the transmittal of draft legislation to the Congress early in calendar 1950. It is further contemplated that in making the study the Department of State will avail itself of the services of an advisory board of outstanding Americans who among them will possess the experience and grasp of foreign affairs necessary to the success of this undertaking. The use of such a board has been urged by the Hoover Commission and is strongly endorsed by the Department of State.

It should be noted that the Department has devoted its efforts for the past 4½ months to the effectuation of the Hoover Commission's recommendations. Upon receipt of the Foreign Affairs Report of the Commission on Organization of the Executive Branch of the Government the Under Secretary of State, with the approval of the Secretary of State, authorized the Assistant Secretary for administration to proceed immediately to review the recommendations of the Commission and to recommend specific steps to be taken to reorganize the Department in line generally with the principles and objectives stated in the Commission's report.

Three task forces were designated, each responsible for a major subdivision of the study. These task forces are composed of senior officers of the Department. They have been assisted by outstanding consultants drawn from both within and outside the Government, including the Bureau of the

Budget, the Civil Service Commission, the Department of Justice, and large American corporations with extensive overseas operations. The first was designated to study the organization of the offices presently supervised by the Assistant Secretary for administration, and further, to concern itself generally with the administrative operations of the Department. The second task force was established to deal with the integration of economic, political, public affairs, and intelligence work into four regional area bureaus, and, also, to recommend on the organization and functions of certain staff offices which would have global responsibilities for certain major functions, such as economic and social policy, intelligence, etc. The third task force was established to deal with the organization and functions of the top structure of the Department, the Department's relationships with other departments, and with the process of policy making, involving the dissemination of decisions and information throughout the Department.

Task Force No. 1 has completed its assignment and its recommendations have been implemented. The administrative activities located in Washington have heretofore been separately grouped according to whether they service the Department or the Foreign Service. As a result of reorganization there is no longer any separate Office of the Foreign Service. Its individual functions have been merged with corresponding functions of other departmental offices. Task Force No. 2 has completed its report and recommendations. Working groups are now preparing to implement its recommendations which relate to redistribution of responsibilities in accordance with the Hoover Commission recommendations, with some modifications as necessitated by analysis of the reorganization problem. Task Force No. 3 has not yet completed its report. It will be completed before the end of July. In the meantime it has made available its recommendations for use in related aspects of reorganization installations.

In line with Recommendation No. 9, the Department has moved to provide the Secretary with additional staff facilities to relieve him and the Under Secretary of the heavy burdens which fall upon them and upon other high officers. Immediately upon approval by the President of Public Law 73, two Assistant Secretaries were designated as Deputy Under Secretaries. The President has sent five nominations of Assistant Secretaries to the Senate, covering the four regional areas and the international organizations area. Four of these have already been confirmed by the Senate. An appointment to the post of Assistant Secretary for Congressional Relations has already been given Senate confirmation. The post of Counselor, which formerly had responsibility for congressional relations, will be used to head up the policy planning activities of the Department. This is in lieu of the creation of a new post of Planning Adviser as recommended by the Commission. In order to relieve the Secretary and other top departmental officers from the heavy burden involved in the representation of the United States at international organizations and conferences, Dr. Philip C. Jessup, with concurrence of the Senate, was appointed Ambassador-at-large to represent the Secretary of State in international negotiations. Consideration is being given to the extent to which additional appointments of a similar character should be made.

The Operations Committee recommended in Recommendation No. 19 has already been established by administrative action and is functioning in the manner proposed by the Commission.

With respect to the application of the reorganization proposals relating to general

management, budget and accounting, general services, and other across-the-board recommendations of the Hoover Commission to the Department of State, it should be noted that these proposals have been taken into consideration by the task forces referred to previously. Generally, the Department will strive to effectuate those proposals which do not require authorization from the Congress or the President before they can be put into effect by a single Department in the executive branch. The Department shall endeavor to improve its organization and operations along lines basically consistent with the Commission's recommendations contained in its report on "General Management of the Executive Branch." Public Law 73 vested in the Secretary of State certain powers assigned by statute to subordinate officials. This is in line with the Commission's recommendation for the establishment of full responsibility in the head of the Department and the provision of appropriate top staff assistants to the Secretary. The Department is also conscious of the need for strengthening the administrative side of its operations and relating administration work more closely to program development. These objectives are being sought through the plans and studies that have already been effectuated and those that are now under way.

Sincerely yours,

JOHN E. FEURIFOY,  
Deputy Under Secretary.

DEPARTMENT OF STATE,  
Washington, April 26, 1949.

The Honorable JOHN L. MCCLELLAN,  
United States Senate.

MY DEAR SENATOR MCCLELLAN: Thank you for presenting us with copies of the Hoover Commission Task Force Report on Foreign Affairs and the Hoover Commission Report on Foreign Affairs, and for calling our attention to certain portions thereof. We, of course, are very much interested in the findings and recommendations of the Commission, and we appreciate having this indication from you of the portions of the reports to which you feel we should give particular notice.

Along with the rest of the Department of State, the research and intelligence organization is in the process of making use of and following the recommendations of the Hoover Commission, both through the process of reorganization and through a change of emphasis on various methods and types of operations. Some of the changes being made by the research and intelligence organization in line with the Hoover Commission recommendations are:

1. We have provided an over-all board as a means for periodic review by all interested areas of the Department, which will permit their participation in the over-all allocations and priorities for the intelligence product. It will furthermore assure that the Department's guidance to CIA will properly reflect the Department's needs.

2. We are strengthening our internal organizational mechanism for the determination of priorities on the kinds of intelligence to be produced and the consumers for whom it will be prepared. By this means we intend to produce a more current type of product and to assure that the product meets the needs of the requester.

3. We are establishing an estimates group to maintain continuous scrutiny of foreign political, economic, and sociological problems on a world-wide basis and to prepare intelligence estimates, prognoses, or forecasts upon request. By this means we will meet the needs of the Department and other intelligence agencies for current estimates and evaluations.

4. We are assigning intelligence advisers to the regional action bureaus and to the functional staff offices in order that close

relationships may be maintained between the geographic and other units of the Department and the research divisions.

5. We have grouped in one staff unit, reporting directly to the Special Assistant for Research and Intelligence, officers performing high-level liaison with the Central Intelligence Agency and other intelligence agencies, in order to assure the best possible relationships between the intelligence unit of the State Department and the other Federal intelligence units.

6. We are providing a special officer to work with the Secretary's planning adviser, and it has been arranged that this officer will sit and work with the policy planning staff.

I have enumerated the above steps which are being taken in order to let you know the seriousness with which we have taken the recommendations of the Commission on Organization of the Executive Branch of the Government. I will be happy to advise you further concerning the Research and Intelligence program of the Department at any time.

Sincerely yours,

W. PARK ARMSTRONG, Jr.,  
Special Assistant for Research and Intelligence.

#### COMMENTS ON HOOVER COMMISSION REPORTS BY HOUSING AND HOME FINANCE AGENCY

Mr. MCCLELLAN. Mr. President, I have received from the Housing and Home Finance Agency Administrator comments on the Hoover Commission reports as they affect that Agency. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared, together with the comments of that Agency.

There being no objection, the letter and statements were ordered to be printed in the RECORD, as follows:

#### STATEMENT OF SENATOR JOHN L. MCCLELLAN, CHAIRMAN, SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Senator JOHN L. MCCLELLAN released today a letter from Raymond M. Foley, Administrator of the Housing and Home Finance Agency, setting forth his views in detail relative to recommendations made in various Hoover Commission reports which affect that agency.

The letter is based largely on recommendations contained in the report on Federal business enterprises which have a direct bearing on the operations of the Housing and Home Finance Agency. In regard to the report as a whole, the Administrator states that "In my opinion, the report suffers materially in perspective and, hence, in usefulness, because it approaches the problems in an artificial context of Federal business enterprises and lending agencies, and thus fails to give adequate attention to the many extremely important substantive governmental functions with which these organizations deal. On this fundamental point, I find myself in general agreement with many of the criticisms expressed by Vice Chairman Acheson and Commissioners Pollock, Rowe, Forrestal, and Alken."

Specific comments were made with reference to the various recommendations in the Hoover Commission's report on Federal business enterprises, as follows:

Recommendation No. 1 (relative to the correction of defects in corporation charters): "Although we agree with the desirability of uniformity as a general objective, it should be recognized, as a practical matter, that the basic purposes and types of organizations of Government corporations are so different that caution and restraint should

be exercised to prevent distortion of operations merely for the sake of uniformity."

With subsection (c) of this recommendation, relating to disposition of surplus earnings by partly owned Government corporations, the Administrator agrees in general but states, "It would seem most unwise to declare any of the earnings of these funds to be 'surplus' until adequate provision has been made to take care of possible future losses and contingent liabilities. \* \* \* Both the Federal Housing Administration and the Federal Savings and Loan Insurance Corporation presently have surpluses in the sense that they have accumulated funds in excess of current requirements. However, the capital and reserves of both agencies are held against substantial current outstanding insured liabilities. \* \* \*"

As regards subsection (d) of the same recommendation, that major expenditures for capital additions be made only with prior congressional approval and appropriation, the Administrator observed that if the Commission had in mind "a specific 'appropriation' covering each expenditure, I should consider such a recommendation as unduly restrictive and burdensome both upon the Congress and the various agencies."

The Administrator also states that subsection (g), that the heads of departments and agencies serve as ex officio chairman of advisory board, "seems to me to have serious drawbacks. \* \* \* I should think that if the head of an agency were to serve as chairman of an advisory board to a corporation within his agency, he would almost inevitably find himself embarrassed by recommendations of the advisory board with which he was in disagreement. It would seem much wiser, in my opinion, for the head of any agency to be in a position where his independent judgment and ability to review recommended courses of action are clearly maintained."

Recommendation No. 2: The Administrator agrees that Government agencies should not invest capital funds provided by the Government in interest-bearing Government securities, but points out some housing "trust accounts are not the property of the agency, and therefore could hardly be subject to the type of control recommended for investment of agency funds."

Recommendation No. 3 (that straight line business activities be incorporated): The Administrator concurs, if "accompanied by systems of procedure to allow this type of activity greater flexibility in management, accounting, and budget methods." He points out, however, that "more restrictions and requirements (have made) a heavier burden of administrative workload at present than they were before the Government Corporation Control Act was enacted," and suggests "that act should supersede, not merely add to, previous requirements which were generally recognized as outmoded."

Recommendations Nos. 4, 5, 6, and 7: The Administrator is in general accord, with some minor reservations, with these four recommendations relating to unincorporated business enterprises, administrative expense subsidies, reporting of hidden subsidies, and the diversion of Government revenues, respectively.

Recommendation No. 8 (relative to general restrictions by Congress on direct loans): "I cannot agree with this recommendation if, as seems apparent, it is intended to deny the propriety of certain public purpose activities which the Congress has determined can best be attained through a lending program. \* \* \* I can only conclude, on the basis of our own experience, that the Commission's recommendation fails to recognize that lending per se is merely a means of accomplishing certain public purposes, and that the question of whether to employ this or other means must be decided by Congress in each case."



Recommendation No. 9 (consolidating all housing activities under a single head):

"It is my belief as Administrator that the present method of administration should have an additional period of trial and experience before a final judgment is formed on the subject of additional elements of authority. This is not to say, in the event of the general application throughout the Government of the management principles recommended by the Commission, we would oppose consideration of the application of those concepts to the Housing Agency. However, in view of the fact that we are on the threshold of new activities in the housing field within the framework of a statutory housing objective and in anticipation of extended discussion of the recommendations of the Commission affecting the Housing Agency, it seems to me that prudence would dictate the reexamination at a later date of the powers and authority of the Administrator to see if they are, in their entirety, both adequate and appropriate."

Recommendation No. 10 (establishing one corporation to absorb liquidating activities related to the housing program): Mr. Foley contends that such a program "requires extensive study and consideration, especially in the light of the public housing title of the long-range housing bill which has now been approved by both Houses." He concludes that "should the recommendations of the Commission pertaining to the consolidation of other housing functions be adopted, the conception of a liquidating corporation to serve even broader purposes would have more validity."

With respect to the proposed transfer of the home loan guaranty program of the Veterans' Administration to the Housing Agency (recommendation 6, veterans' affairs), the Administrator comments, as follows:

"There can be no question that the existence of two home-loan insurance or guaranty operations in two separate agencies of the Federal Government results in duplication and overlapping of activities. I note that the staff of your committee (on Expenditures in the Executive Departments) recommends that consideration of this proposal be referred to the Committee on Banking and Currency. Inasmuch as I would recommend such a transfer only in conjunction with certain substantive legislation, such reference would seem to me desirable. The difference in the statutory objectives of the FHA and VA programs, and the terms under which the two programs must operate, make it impossible for this agency to accept, without qualification, the Commission's recommendation for transfer of the VA functions. At the same time, I do not feel that these statutory differences necessarily represent insurmountable obstacles, and a procedure could be adopted for effecting the essential objective of the Commission's proposal. \* \* \*

"Under these circumstances it is our considered opinion that a simple transfer of the loan-guaranty operations of the Veterans' Administration to the Housing and Home Finance Agency would in no way obviate the major problems which now exist."

Recommendation No. 11 (to transfer the Federal National Mortgage Association to the Housing and Home Finance Agency): Mr. Foley points out that this recommendation would further implement the basic policy of the administration with respect to the organization of the Government's housing functions, but argues that, "It is essential that the existing and proposed authority of FNMA be closely coordinated with related housing functions being carried out within the Housing Agency. This objective is presently sought as part of the work of the National Housing Council, but without a direct authority to be exercised by the Housing and Home Finance Administrator."

Recommendation No. 12 (to transfer the Office of Housing Expediter to the Housing

and Home Finance Agency: The administrator is in disagreement, and sets forth his reasons therefor, as follows:

"As explained in the report of the Commission, the Housing Expediter enforces Federal rent control and veterans' preference requirements in the sale and rent of new housing units, which has an effect upon the Nation's housing supply—the primary responsibility of the Housing Agency. Accordingly, if the Office of the Housing Expediter were a permanent agency, I would certainly agree that it should be transferred to the Housing Agency, assuming, of course, that legislative authority therefor is granted by the enactment of the pending reorganization bill or otherwise. However, in view of the temporary nature of the Office of the Housing Expediter, I do not believe such transfer should be made. Under existing legislation, that Office would terminate on or before June 30, 1950. In my opinion, any advantages which would accrue to the Government through the consolidation of functions of that Office with functions of the Housing Agency, for the short period of time prior to that date, would be more than offset by the disadvantages involved."

"I believe our position in regard to this recommendation is sound, notwithstanding the fact that the name 'Office of the Housing Expediter' and the title 'Housing Expediter' have become misnomers which confuse the public and result in unwarranted criticism of the Federal Government for having two separate housing agencies. Our proposals for changing these names have been previously presented to the Bureau of the Budget and to the Congress."

Recommendation No. 19 (to consider creation of a system of national mortgage discount banks to provide real estate mortgage discount facilities for all private lending agencies): Mr. Foley has no objection to such a study by Congress, but believes there is "a confusion in the Commission's report between the type of financial activity involved and the public purpose which it is desired to accomplish," concluding that:

"It is my considered opinion that the principles on which this question was rejected in the early 1930's are still sound and that there would be draw-backs to the adoption of a national system of discount banks, of the type apparently contemplated by the Commission, at the present time. At the same time there is no doubt that a general review of the Federal Government's activities in the broad field of fiscal management and supervision might be profitable in terms of recommendations for a better integration of all current reserve facilities. We would welcome a congressional study on such a comprehensive basis."

Mr. Foley did not attempt to reply to the various findings and recommendations contained in the task force report on "Activities and Organization of Lending Agencies of the Government" for the reason that, "for all practicable purposes," the task force report was "rejected and dismissed by the Commission," and contends that this report "contains so many errors of fact and, in our opinion, of conception and consequent judgment, that to refute it would require a considerable effort and would produce a substantial document. We do not think the report deserves that attention and recommend that it be set aside as of little value in connection with the recommendations discussed herein."

The Housing and Home Finance Agency is in general accord with the basic thesis of the report on general management of the executive branch, that the complex structure should be reorganized along broad functional lines. It "heartily endorses the Commission's central recommendation that personnel management of the Federal Government be decentralized." The Administrator suggests that "if the fundamental objective of promoting a Federal career service is to be

attained, it is essential that its distinctive and Government-wide character be preserved," and that in the past "efforts of this nature have often failed because of the inability of individual departments or agencies to work out comprehensive long-range plans within budgetary limitations."

Mr. Foley questions the creation of supervisor-employee councils of the type recommended by the Commission, and, in connection with the Commission's recommendation that the process of dismissing incompetent employees be simplified, suggests that such authority should be vested in the head of the agency or department, "with the Civil Service Commission hearing appeals only where it is alleged that public policy or law have been violated."

In endorsing the recommendation of the Commission relative to the clarification and simplification of the Federal budget along the lines of performance budgeting, Mr. Foley states that, "The present budgetary approach, based as it is upon an elaborate structure of appropriations and an objective classification of expenditures, is highly unsatisfactory from the standpoint of the departments and agencies and, as the Commission's report indicates, equally so from the standpoint of the Chief Executive and the Congress."

The Administrator states, however, that the so-called business-type budget under the Government Corporation Control Act has been disappointing, because it has added a considerable variety of new requirements to those which already existed, maintains that the result is an all but crushing burden of detail in connection with these functions, particularly in the latter months of the calendar year when the budget is in process of formulation.

As a possible solution to the problem he suggests:

"It would probably be fair to say that the Congress cannot have both simplicity and the meticulous, detailed control which it has generally sought to exercise; especially over such matters as annual administrative expense limitations, and even, within these, over such relatively minor phases of administrative expense as personnel work and publicity. I believe your committee will find it necessary to make a deliberate choice between such traditional methods as these, and an approach in terms of flexibility and simplicity which will, perforce, place greater reliance on integrity and competence in administration."

As to another recommendation in this report (No. 8) relative to the supervision of publications of the executive branch by the Office of the Budget, Mr. Foley also differs, contending that:

"A detailed preclearance of all publications (unless that term be very narrowly defined) would be slow and expensive, would hamper rather than facilitate good administration. In this connection the figures cited in the report do not appear to support the idea that publications are a sufficiently significant fraction of the cost of Government to warrant the special cumbersome and costly treatment recommended by the Commission."

In commenting on the recommendation for the establishment of a National Monetary and Credit Council of domestic financial agencies (Recommendation No. 9, Treasury Department), Mr. Foley does not agree "that the establishment of a council of the type described by the Commission is the appropriate vehicle for attaining that objective." He shares the misgivings expressed by Commissioner Rowe on the specific method suggested by the Commission.

The Administrator also disagrees with the informal recommendation (No. 14, Department of the Interior), that, if any agency should undertake extensive Federal housing construction, this construction should be



the responsibility of the Department of the Interior. He concludes that:

"Experience with this latter program demonstrated rather clearly that the best results, under such circumstances, are obtained when responsibility is vested in a single agency responsible for the entire housing program. This recommendation of the Commission, in my opinion, would result in the same division of responsibility among several agencies which caused so much confusion during the early stages of the war, and which led to the issuance of Executive Order 9070 establishing the National Housing Agency."

The full text of the letter follows:

HOUSING AND HOME FINANCE AGENCY,  
Washington, D. C., July 15, 1949.

HON. JOHN L. MCCLELLAN,  
Chairman, Committee on Expenditures in the Executive Departments,  
United States Senate, Washington,  
D. C.

DEAR SENATOR MCCLELLAN: I hope you will accept my apologies for our delay in responding to your request of May 23, 1949, for a detailed report relative to the application of the various recommendations of the Commission on Organization of the Executive Branch of the Government to the Housing and Home Finance Agency. We have given considerable study to the basic questions of administration and organization raised by the Commission, both those which relate specifically to this agency and those which, while Government-wide in scope, will have a direct bearing upon the administration of the Housing Agency and programs. In many instances, which I shall try to point out in the appropriate places, the administrative practices and organizational patterns of this agency are presently in accord with the objectives sought by the Commission. In others, you will find that we are more than willing to change and improve our structure and pattern in conformity with the Commission's recommendations and the objectives expressed by the President—subject, of course, to adequate legislative or executive authorization.

The first several reports have generally to do with the basic management framework of the executive branch and with the staff and administrative services of the President and the heads of the departments and agencies. While these reports contain little of unique application to this agency, I am glad to have the opportunity to comment briefly on them in the hope that I may be of some assistance to your committee in evaluating these across-the-board proposals.

#### REPORT NO. 1—GENERAL MANAGEMENT OF THE EXECUTIVE BRANCH

In general, I should think there will be little dissent to the basic thesis of this report: That the excessively complex structure of the executive branch built up by evolution and almost, as it were, by accident, must be regrouped into a more closely knit framework along broad functional lines, in such manner that the whole structure is more susceptible to control and management by the President and more readily responsive to the needs and views of the Congress.

Similarly, there will be little disagreement in principle with the secondary theses set forth in the first report: That the staff services available to the President should be strengthened; that aggressive measures should be taken to raise the level of quality of Federal administrative personnel, and so on. But while these broad propositions themselves will be generally agreed to, past experience suggests that it will not be easy to find a basis for general agreement on detailed plans for carrying these principles into effect. The variety of interests and personalities involved is so great that any conceivable specific step is certain to generate more or less resistance and controversy. Nevertheless, the report lays out funda-

mentally sound directions. It is to be hoped that the urgent public need—not only for greater economy in Government but for Government more flexible, more adapted to the complex problems of modern life, and more responsive to the public will—may override the many lesser considerations which will arise as obstacles to fundamental reforms along these lines.

#### REPORT NO. 2—PERSONNEL MANAGEMENT

We strongly approve the comprehensive nature of the Commission's personnel management survey. Government officials have been burdened too long with the difficult task of attempting to adjust to the present demands of the public service within time-consuming and overly rigid procedures.

I shall not attempt to comment separately upon each of the Commission's 29 recommendations. However, viewing them as a whole, I believe they represent objectives which, if pursued with vigor and imagination, will make it easier for the Federal Government to attract and retain a high caliber of civil servant and, at the same time, will lead to more efficient operations. I have selected for special comment the recommendations of the Commission bearing upon those personnel problems which, in my opinion, are the cause of greatest concern today to Federal administrators.

We heartily endorse the Commission's central recommendation that personnel management of the Federal Government be decentralized. However, if the fundamental objective of promoting a Federal career service is to be attained, it is essential that its distinctive and Government-wide character be preserved. This will require a Civil Service Commission free to devote its entire energies to the formulation and improvement of personnel policies and standards and endowed with sufficient authority to enforce compliance. This approach, I believe, will be the best guaranty against the danger of individual departments and agencies pursuing autonomous and possible diverse personnel programs—a tendency which if unchecked, would lead inevitably to the breaking up of the career service into many independent and competing segments. For this reason I believe it would be unfortunate to divert the Civil Service Commission from its central task by imposing upon it operating responsibilities.

I would, therefore, seriously question the desirability of having the Civil Service Commission share actual recruitment responsibilities with the departments and agencies. Rather, each department and agency should be vested with exclusive responsibility for recruiting its staff within the framework of approved programs. It would dilute and confuse this responsibility to give departments and agencies authority to recruit for only high level positions, or positions peculiar to an agency, and leave to the judgment of the Civil Service Commission the decision as to whether or not this authority should be extended to other classes of positions—although we recognize, of course, that there may be need for a central procurement agency to assist in the recruitment for positions in the lower grades.

I thoroughly approve the recommendation that the Federal Government pursue a vigorous program to recruit and train young men and women for junior professional, scientific, technical, and administrative positions. Past efforts of this nature have too often failed because of the inability of individual departments or agencies to work out comprehensive long-range plans within budgetary limitations. The success of any such program depends directly upon its budgetary implementation.

The recommendation of the Commission concerning the revision of the Government's salary policy seems to be generally realistic, particularly the suggestion that Congress es-

tablish a salary ceiling and floor within which the Executive Branch would have authority to work out a comprehensive salary and wage schedule. By this more flexible device the Federal pay scale would be more responsive to national economic trends and more adapted to real recruitment needs. In this connection it is well that the Commission has recognized that for this system to work effectively within the framework of decentralized operations, the departments and agencies must have complete authority to allocate jobs in accordance with established standards.

I think it is regrettable that the Commission did not discuss the proper role of employee organizations in the Federal service. If the individual departments and agencies are to be given more latitude in the administration of personnel programs, it will follow that employee organizations will seek to participate in the development of these programs. I am inclined to question that the supervisor-employee councils of the type recommended by the Commission will satisfy the desire of employees to participate more fully in the development and administration of programs affecting their welfare.

The reduction-in-force plan recommended by the Commission would, I believe, contribute to the improvement of a career service through the retention of the best-qualified employees. While we endorse the principle of severance pay, we feel that it might be well to relate this compensation to length of service and possibly other controlling factors. It is obvious that the adoption of a severance-pay policy would require budgetary implementation.

We are in general accord with the Commission's recommendations that the process of dismissing incompetent employees should be greatly simplified. In line with this recommendation I suggest that the head of an agency or department have final authority in dismissal cases, with the Civil Service Commission hearing appeals only where it is alleged that public policy or law have been violated.

The Commission's approach to the problem of working out a system of performance evaluation, and the emphasis it places upon delegating to line supervisors more responsibility for the administration of personnel policies, seem to be steps in the right direction. We agree also that a program should be developed to facilitate orderly interagency transfers in the technical, scientific, and executive fields.

#### REPORT NO. 3—OFFICE OF GENERAL SERVICES (SUPPLY ACTIVITIES)

With the enactment and approval by the President of the Federal Property and Administrative Services Act of 1949, much of what the Commission recommended in this report has already been made effective. While time has not permitted me to make a close analysis of the new legislation, it is my general understanding that it conforms to the purposes the Commission had in mind. I will therefore limit my comments in this connection to the observation that, in addition to the facilities and services offered by the new General Services Agency, attention should be given to the importance of the service functions within the various operating agencies.

Concrete expression should be given this concept through adequate classification and compensation standards for positions and the provision of sufficient funds and positions to meet staffing requirements, for it is particularly in this field that difficulties are often experienced attracting and retaining qualified individuals.

#### REPORT NO. 7—BUDGETING AND ACCOUNTING

Coming first to the budgetary recommendations of this report, we strongly endorse the central idea that the Federal budget should be clarified and simplified along



the lines of performance budgeting. The present budgetary approach, based as it is upon an elaborate structure of appropriations and as objective classifications of expenditure, is highly unsatisfactory from the standpoint of the departments and agencies and, as the Commission's report indicates, equally so from the standpoint of the Chief Executive and the Congress.

The Commission's recommendations along these lines, however, are quite general, and in the absence of specifications as to methods and procedures, it seems to me desirable to point out certain major dangers in such a process which must be borne in mind in developing the details of a new plan. These are intended, not as reservations, but as identifying pitfalls to be avoided:

1. Past experience shows that too frequently improved procedures are added to, rather than substituted for, existing requirements. For example, the Commission's report cites the business-type budget under the Government Corporation Control Act as more nearly approximating performance budgeting than anything else in present practice. Practically all the activities of the Housing and Home Finance Agency are presented as business-type budgets under this act, and I must say in all candor that our experience in this connection has been disappointing. For, while the Government Corporation Control Act was intended to simplify budget and fiscal administration for corporate-type programs and to relate them more realistically to their several activities, the result, in actual practice, has been to add a considerable variety of new requirements to those which already existed. With respect to these programs, we must maintain the records and do the work necessary for the business-type budget, but in addition must also do everything previously required of us for a Government or appropriation-type budget. The result is an all but crushing burden of detail in connection with these functions, particularly in the latter months of the calendar year when the budget is in process of formulation.

In our opinion, therefore, it should be a major purpose in this connection to develop an improved and simplified process to be substituted for, and not added to, present requirements. There is some implication in the Commission's report, for example, that the present detail by objective classes of expense might be retained as supporting material to the performance budget. If this direction is taken, there is very real danger that the whole process might be a net step backward rather than forward.

2. The success of the whole undertaking will depend directly upon the common sense and practical judgment applied to the problem of defining what constitutes a function, activity, or performance unit for purposes of the budget. If the objectives of clarity, reasonableness, and simplicity, are kept firmly in mind, such a redefinition can contribute greatly to improvement of the general form of the budget. On the other hand, if the objective of simplicity is subordinated to that of attempting to reflect all direct and indirect costs which might be attributable to a given program or function, the results might well be as complex, confusing, and unwieldy as the present budget document.

Before commenting briefly on some of the more specific recommendations, it might be well to note that the concept of the performance budget should not be considered as an isolated matter. It is rather the budgetary aspect of the basic recommendations of the Commission concerning the whole process of regrouping, simplification, and rationalization. In the measure that the Commission's work brings about regrouping of activities in the executive branch along simpler and more functional lines these improvements should find expression in the budget. The significance of the performance budget to the reorganization process as a whole, therefore,

is that it provides a more suitable method for reflecting the results of the whole process in budgetary terms.

I hope I shall not be misunderstood if I suggest to your committee that this problem lies not wholly on the doorstep of the Executive, but also involves questions whose solution depends upon the Congress. Some of the excessive complexity in the present budget process no doubt arises from obsolete concepts or practices in the executive branch; some, however, stems from efforts to meet the express desires and requirements of the Congress and its appropriations committees. It would probably be fair to say that the Congress cannot have both simplicity and the meticulous, detailed control which it has generally sought to exercise, especially over such matters as annual administrative expense limitations and even, within these, over such relatively minor phases of administrative expense as personnel work and publicity.

I believe your committee will find it necessary to make a deliberate choice between such traditional methods as these, and an approach in terms of flexibility and simplicity which will, perforce, place greater reliance on integrity and competence in administration.

In the following paragraphs I will comment very briefly on some of the more specific recommendations. Some of the numbered recommendations are omitted, either because we are in general agreement with them as stated or because the subject involved appears to require no comment on our part.

Recommendation No. 2 calls for a complete survey of the appropriation structure. This is an absolutely essential step. In this connection again, however, it must be noted that the Congress itself is the key to any real progress toward greater simplicity.

Recommendation No. 8 suggests that "the President be given the means and authority to supervise all publications of the executive branch and that he delegate this authority to a responsible official in the Office of the Budget." We think it should be recognized that the issuance of publications—so long as they are consistent with the functions and responsibilities of the respective agencies under law—are a proper and essential part of the operation of many programs. While there may be some abuse in this connection, we believe it can be adequately controlled by a system of post review, which might properly be lodged in the Bureau of the Budget. We believe, however, that a detailed preclearance of all publications (unless that term be very narrowly defined) would be slow and expensive, and would hamper rather than facilitate good administration. In this connection the figures cited in the report do not appear to support the idea that publications are a sufficiently significant fraction of the cost of Government to warrant the special cumbersome and costly treatment recommended by the Commission.

The Commission's analysis of the Government's statistical system seems to us to be generally valid, although we regret the brief treatment of this important subject. We also regret the omission of any real discussion of the problem of so-called administrative statistics—a function of great significance to many agencies. It is not entirely clear to us what type of central direction of statistical activities the Commission favors. To the extent that it recommends an extension and strengthening of the coordinating activity of the Bureau of the Budget, we are in agreement with its recommendations. However, if the Commission has endorsed central management control of the type apparently advocated in Appendix D by the Special Task Force, we would wish an opportunity to reexamine the proposals and present our views in greater detail.

Regarding the recommendations of the Commission on accounting problems, it

should be noted (as pointed out above) that most of the activities within this Agency are of the business- or corporate-type, and maintain their accounts accordingly. On the basis of our general experience—and without going into the questions of jurisdiction raised in the Commission's report—we are fully in accord with the main features of substantive reform in accounting and auditing methods proposed by the Commission, including the separation of auditing and accounting functions; the preparation of periodic summary reports of the financial activities of the Government as a whole; the elimination of detailed voucher audit in favor of business-type periodic test-check audits at the locations where the Government's business is actually transacted; the maintenance of accounts on an accrual basis; the adoption of a simplified and uniform nomenclature; the elimination of the warrant system; and so on.

#### REPORT NO. 9—VETERANS' AFFAIRS

Recommendation No. 6 in the report on "Veterans' Affairs" suggests the transfer of the veterans' home loan guaranty program to the Housing and Home Finance Agency. This recommendation is repeated in the report on "Federal Business Enterprises" and is discussed later under that heading.

#### REPORT NO. 11—TREASURY DEPARTMENT

##### Recommendation No. 8—The Office of Liquidation

"We recommend that the Treasury Department examine and report to the President and the Congress semi-annually upon all these agencies in liquidation. The Commission also recommends that the President be given the authority to delegate the work of liquidation to such agencies as he may determine."

This recommendation appears to be limited to the establishment within the Treasury Department of an Office of Liquidation which would concern itself with examination and stimulation of the liquidation of certain Government agencies. Insofar as examination is concerned, I feel that the current annual audits conducted by the Corporations Audit Division of the General Accounting Office, taken together with regular annual reports of agency operations submitted to the Congress, provide generally adequate data concerning an individual liquidating organization. In regard to the stimulation of liquidating activities, I can only say that the Home Owners' Loan Corporation which is under the jurisdiction of this Agency is proceeding with its liquidation as expeditiously as possible under the circumstances. It is not clear just what benefits would accrue under the Commission's proposal to justify the added costs involved. However, I should not otherwise object to this proposal.

##### Recommendation No. 9—Establishment of a National Monetary and Credit Council

"We recommend that there be established a national monetary and credit council of domestic financial agencies in connection with the Treasury to advise on policies and coordination of the operations of domestic lending and Government financial guaranties."

The Commission also recommends that the Housing and Home Finance Agency be represented on such a council and indicated both in that report and in the report on Federal business enterprises that the council would consider the activities of all agencies in the credit field so as to secure "coordination of purpose and avoid overlapping activities and inconsistent credit policies."

In commenting on this recommendation, I should like to emphasize my agreement with the objective of closer coordination of economic policy within the executive branch. I do not agree, however, that the establishment of a council of the type described by the Commission is the appropriate vehicle



for attaining that objective. It would seem more appropriate to recognize that this is a coordinating responsibility which can best be discharged within the executive office of the President and the Bureau of the Budget where problems of program conflicts can best be resolved in the interests of fundamental governmental policy. In short, I am inclined to share the misgivings expressed by Commissioner Rowe on the specific method suggested by the Commission in this connection.

#### REPORT NO. 14—DEPARTMENT OF THE INTERIOR

In this report, the following general statement is made:

"However, if any of the housing agencies should undertake actual extensive construction for the Federal Government, this construction should be the responsibility of the Department of Interior."

I disagree with this informal recommendation. It seems clear that extensive construction for the Federal Government would be undertaken only under circumstances which would require the same kinds of planning and decisions, and perhaps control, as were involved in the war-housing program. Experience with this latter program demonstrated rather clearly that the best results, under such circumstances, are obtained when responsibility is vested in a single agency responsible for the entire housing program. This recommendation of the Commission, in my opinion, would result in the same division of responsibility among several agencies which caused so much confusion during the early stages of the war, and which led to the issuance of Executive Order 9070 establishing the National Housing Agency.

#### REPORT NO. 17—FEDERAL BUSINESS ENTERPRISES

This report contains many specific recommendations for changes in the functions and organization of the Housing and Home Finance Agency and also embodies other proposals of a more general nature that affect the Agency.

However, before discussing the individual recommendations in this report, I think a general comment on the report as a whole is in order. In my opinion, the report suffers materially in perspective, and, hence, in usefulness, because it approaches the problems in an artificial context of Federal business enterprises and lending agencies, and thus fails to give adequate attention to the many extremely important substantive governmental functions with which these organizations deal. On this fundamental point I find myself in general agreement with many of the criticisms expressed by Vice Chairman Acheson and Commissioners Pollock, Rowe, Forrestal, and Aiken. I believe, among other things, that there has been a disproportionate emphasis on accounting matters as such. While this type of scrutiny is probably appropriate to an appraisal of Federal accounting practices, it seems but remotely related to the broad problem of organization and administration in the many fields covered by Government business-type programs.

#### Recommendation No. 1—Recommendations on corporation charters

"To correct the defects in corporation charters, we recommend that the Congress should, by new enactment, or by amendment to the Government Corporation Control Act of 1945, provide:

"(a) That borrowing powers, Government liability for their obligations, and budgetary presentation be made uniform for like classes of loans and like securities."

The vagueness of this recommendation may well obscure very worth-while objectives with which, I am sure, we would find ourselves in general agreement. Although we agree with the desirability of uniformity as a general objective, it should be recognized, as a practical matter, that the basic pur-

poses and types of organizations of Government corporations are so different that caution and restraint should be exercised to prevent distortion of operations merely for the sake of uniformity.

"(b) That the Government stock in these corporations be held by the President or by the head of such agency as he may direct."

Presumably this recommendation is intended to apply only to wholly owned Government corporations.

As stated, it does not seem to be of major importance. I should like to point out, however, that if the Commission intended by this recommendation to vest in the President or his designee certain of the powers which are commonly associated with stock ownership (e. g., the appointment of directors or responsible executive officials) I would endorse the recommendation.

"(c) That the Congress determine what disposition should be made of surpluses already earned by partly owned Government corporations. Policies as to distribution of future surplus earnings of both partly owned and fully owned corporations, should also be determined."

In general, this recommendation seems entirely appropriate. It is desirable from the standpoint of the Congress and proper administration that a clear prescription as to the disposition of surplus earnings be written into the law. Within the Housing and Home Finance Agency there are a number of activities to which I should make specific reference in discussing this recommendation. In so doing I should like to indicate some of the considerations which must be taken into account in a definition of what constitutes surplus earnings. For example, the Federal Housing Administration receives income from premiums, fees, and earnings on investments. For the most part, the income of FHA is held in several insurance funds. It would seem most unwise to declare any of the earnings of these funds to be surplus until adequate provision has been made to take care of possible future losses and contingent liabilities. It should also be pointed out that private mortgagors have a direct interest, by provision of law, in the Mutual Mortgage Insurance Fund established under title II of the National Housing Act.

In the case of the Federal Savings and Loan Insurance Corporation, legislative proposals are now pending which would satisfactorily settle, we believe, the question of earnings. In brief, these proposals provide for the retirement of stock, and a clear resolution of the question of dividend payments to the Treasury. As in the case of the Federal Housing Administration, it would seem most unwise to earmark earnings of the Corporation for disposition until adequate provision has been made to take care of future losses. Title IV of the National Housing Act already recognizes this objective by setting up a goal of corporation reserves in relation to insured liabilities.

In short, both the Federal Housing Administration and FSLIC presently have surpluses, in the sense that they have accumulated funds in excess of current requirements. However, the capital and reserves of both agencies are held against substantial current outstanding insured liabilities. In the case of FSLIC, a statutory reserve ratio exists which has not yet been attained. In the case of FHA, under the mutual mortgage-insurance system, the individual mortgagors have a definite interest in these funds, and a right to dividends under certain prescribed circumstances. Under these circumstances we do not feel that these funds should be regarded as "surplus" for purposes of some specific legislative direction for their disposition.

On the other hand, there might be considerable merit to a general review of Federal fiscal policy in this area, as distinguished from specific actions affecting individual pro-

grams. In such a general study, some thought might be given to the advantages of establishing a form of noninterest bearing and nonfunded credit in the Treasury as a means of providing necessary financial backing for Government enterprises of this kind without further compounding the public debt.

Since the recommendation of the Commission is directed at both wholly and partly owned Government corporations, reference should be made to the Federal Home Loan Banks. The Federal Home Loan Bank Act provided for the establishment of those institutions with capital subscriptions by both the Government and the member institutions. The statute specifically contemplated that Government capital would be temporary, and a retirement formula has always been in the statute. Prior to retirement, dividends are paid on all stock, both public and private, on an equal basis. Legislative proposals are now pending which would accelerate the retirement of the Government-owned stock.

"(d) That major expenditures for capital additions be made only with prior congressional approval and appropriation."

First of all, it is assumed that this recommendation is intended to refer to congressional authorization rather than appropriation. If this assumption is correct, it is my judgment that the recommendation is a proper one. In making this comment, I am further assuming that the Commission intended that Congress should consider and approve the program in question and that funds should be available only pursuant to law. On the other hand, if the Commission intended to mean that there must be a specific appropriation covering each expenditure, I should consider such a recommendation as unduly restrictive and burdensome both upon the Congress and the various agencies.

"(e) In order to establish a consistent practice among corporations, that all corporations, in determining the cost of construction undertaken by them, include a charge for interest on capital expended during the period of construction."

On its face, this recommendation would appear to say merely that the books of account of Government business enterprises should properly and correctly reflect the capital expenditures connected with their programs. We would, of course, entirely agree with this proposition. It is public knowledge, however, that the sharpest controversy has existed over the proper treatment of interest in connection with certain types of Government power operations; and since this is a public-policy question of considerable complexity and beyond our field of responsibility, we prefer not to express an opinion on it in these general comments.

"(f) That where boards or part-time boards are established they be wholly advisory and be appointed by the President. Public-spirited citizens presently serve on such boards even though fees are paid only for attending meetings."

In the Housing and Home Finance Agency, there is only one Board, the Home Loan Bank Board, a full-time Board having regulatory powers vested in it by law. This Board works well in practice, and the arrangement is considered more satisfactory than the single executive with an advisory board, which appears to be implied in the Commission's recommendation. The Federal Home Loan Bank Act also provides for a Federal Savings and Loan Advisory Council. The Council is composed of representatives selected both by the industry and by the Home Loan Bank Board. As the Commission recommends, its functions are wholly advisory. While the arrangement of a full-time responsible Board, assisted by an advisory group, is at variance with the Commission's recommendation, I am convinced that the present arrangement should not be disturbed.



"(g) That where these corporations are located in the departments or major Government agencies, the heads of such agencies, or representatives designated by them, serve as ex officio chairmen of their advisory boards."

This recommendation, if I interpret it correctly, seems to me to have serious drawbacks. For example, I should think that if the head of an agency were to serve as chairman of an advisory board to a corporation within his agency, he would almost inevitably find himself embarrassed by recommendations of the advisory board with which he was in disagreement. It would seem much wiser, in my opinion, for the head of any agency to be in a position where his independent judgment and ability to review recommended courses of action are clearly maintained.

**Recommendation No. 2—Deposit of United States securities in the Treasury**

"We recommend that all Government business enterprises be required to surrender to the Treasury all United States securities held, up to the amount of the capital furnished them by the Government, and that they receive in return non-interest-bearing credit in the Treasury. They should not be allowed to invest their idle funds in any other securities except as authorized by the Congress. This recommendation does not include trust accounts."

I agree with the first part of this recommendation which states, in effect, that Government agencies should not invest capital funds provided by the Government in interest-bearing Government securities. It is sound in principle that this money should be exchanged for non-interest-bearing credits in the Treasury. Further, organic legislation should establish the method of handling idle funds, and no agency of the Government should be permitted to invest funds in any form of securities other than Government bonds, unless such investments are specifically outlined in legislation.

The recommendation specifically excludes trust accounts. We assume that the exclusion also relates to the second sentence of the Commission's statement: "They should not be allowed to invest their idle funds in any other securities except as authorized by the Congress." Some of the trust accounts held within the Housing and Home Finance Agency are not the property of the agency, and therefore, could hardly be subject to the type of control recommended for investment of agency funds. The HOLC, for example, has for many years been collecting funds each month from borrowers, accumulating those funds, and using them to pay tax and insurance charges as they fall due. Such moneys are at all times the property of the borrowers, and HOLC holds them purely as trustee. Similarly, the funds held by FHA and FSLIC which represent reserves for insurance losses are certainly not idle funds and we assume that they would also be excluded from the recommendation.

**Recommendation No. 3—Incorporation of business enterprises**

"We recommend that straight-line business activities be incorporated so as to secure greater flexibility in management and simpler accounting, budgeting, and auditing methods."

We believe this to be a good recommendation, provided that incorporation is accompanied by systems of procedure to allow this type of activity greater flexibility in management, accounting, and budget methods. In general, corporate or business-type organizations enjoy greater flexibility only to the extent that these are provided in their respective basic statutes. In fact, speaking from our own experience, many corporate activities are subject to more restrictions and requirements and a heavier burden of administrative work load at present than they

were before the Government Corporation Control Act was enacted. New requirements have been proposed, and little or nothing has been eliminated from what was previously required. The Government Corporation Control Act has brought about material improvement in the presentation of financial data about these programs, but to date its stated objectives in terms of flexibility, simplicity, and economy in operations have not been achieved. This comment is not made in criticism of the objectives of the Government Corporation Control Act, with which, in fact, we are in full accord. It is intended to emphasize that the requirements of that act should supersede, not merely add to, previous requirements which were generally recognized as outmoded in the adoption of the Government Corporation Control Act, and that the spirit and intent of the act should be more fully carried out in practice.

**Recommendation No. 4—Unincorporated business enterprises**

"We recommend to the Congress that such agencies be given the same flexibility of business practice, a business form of budget, accounting, and audit systems, which are now usually reserved for Government corporations; and that such agencies be required to set up their accounts so as to distinguish between capital expenditures and those to be charged to operations."

Subject to the comments and reservations given in recommendation No. 3 above, we are in favor of this recommendation. In fact, the Federal Housing Administration, although not a corporation, has been placed under the Government Corporation Control Act on our recommendation. Even before this was done, we had administratively adopted the business-type accounting system and presented business-type budgets to Congress. A similar recommendation is pending with respect to the Home Loan Bank Board.

**Recommendation No. 5—Administrative expense subsidies**

"We recommend that Congress require these agencies either to conduct their businesses so as to recover their administrative expenses, or, alternately, to set out such subsidies as a part of their annual request to the Congress for appropriations."

We agree with the principle set out in this recommendation. There are, of course, loss programs which have operated or will operate as corporations which should either have their administrative expenses provided for separately by the Congress, or be allowed to impair capital for the purposes of paying administrative expenses. However, any impairment of capital should be restored periodically through the appropriation process.

In the discussion of this recommendation, the Federal Housing Administration is erroneously listed as an example of a business enterprise which has its administrative expenses appropriated by the Congress. While a relatively small amount of the initial administrative expenses of the FHA were paid from appropriated funds before the premium income reached a sufficient volume to carry the operating expense, administrative expenses are now and for many years have been paid from the premium, fees, and other income in connection with the several insurance programs, subject to congressional authorization.

Much the same observation applies to the Public Housing Administration, whose administrative expenses are paid from the proceeds of management and disposition under its several programs, and from interest income under the United States Housing Act program.

**Recommendation No. 6—Reporting of hidden subsidies**

"We recommend that both incorporated and unincorporated business enterprises report specifically to Congress each year the

extent to which earned income falls to cover: (a) Interest on capital furnished by the Government, (b) losses on loans or investments, and (c) operating expenses. Otherwise, through the exhaustion of capital, there is a hidden subsidy, and the real financial results of governmental operations are obscured. These subsidies may not be disclosed until liquidation. Losses and subsidies should be made clear each fiscal year and passed upon by the Congress."

We support this recommendation. Government finances should be handled so that the true condition, whether gain or loss, is clearly presented in financial statements and reports. This amounts to little more than saying that the financial statements should accurately reflect the relationship between earnings and the proper expenses of an enterprise.

**Recommendation No. 7—Diversion of Government revenues**

"We recommend that, as a general principle, receipts arising outside of normal activities be paid into the Treasury, and that the sums necessary for the conduct of these agencies be appropriated by the Congress. This may require provision for some revolving funds."

We agree with this recommendation.

**Recommendation No. 8—Direct lending to private persons**

"We recommend (a) that the Congress review the power to make direct loans (excluding the two minor activities mentioned above), taking into account the problems of economy, efficiency, and integrity; (b) that in nonemergency periods, the Congress place restrictions on direct loans in order to insure that the normal channels of credit are utilized to the maximum extent possible or, alternatively, provide for the guarantee of loans made by private or other established agencies."

I cannot agree with this recommendation if, as seems apparent, it is intended to deny the propriety of certain public purpose activities which the Congress has determined can best be attained through a lending program. The position of this Agency, as a matter of fact, more closely coincides with the following statement in the minority report of Vice Chairman Acheson and Commissioners Pollock and Rowe in their discussion of this subject:

"The question whether the Government should engage in direct lending is a policy matter which properly is decided case by case in the basic statutes authorizing such activities. The Government does not and should not engage in lending as a straight 'business transaction.' It should lend money only to further the accomplishment of a public purpose—social or economic."

The actual experience of the Housing Agency since 1932 itself offers an excellent background for a discussion of this subject. When the Federal Home Loan Bank System was established in 1932 Congress intended it to correct certain basic faults in the country's home-financing structure. In that case a reserve-credit system was established which for almost 16 years has made loans to member home-financing institutions. The system has operated successfully, and is so cited by the Commission in other connections. In this case direct lending, then, has been employed as the appropriate device for strengthening our private thrift and home-financing resources.

Direct lending was also used when HOLC was established in 1933. That Agency was set up to accomplish an emergency-rescue operation, and direct loans to individual distressed home owners represented the quickest and most effective—perhaps the only—way of meeting the problem. This phase of the program was brought to an end in 1936.

When FHA was created in 1934, that Agency was charged with still different responsibilities, and insurance of loans made by private

lenders was provided as the device for carrying out those responsibilities. The effectiveness of this device is amply demonstrated by the operating record of FHA during the past 15 years.

The Federal Savings and Loan Insurance Corporation, also established in 1934, insures savings investments in savings and loan associations. Like the FDIC, it was authorized to make loans to insured institutions to prevent default. As a practical matter, this authority has never been exercised, but cases may well develop in which loans to private institutions may prove to be the most efficient method of avoiding insurance losses.

The low-rent public housing program inaugurated under the United States Housing Act of 1937 provides for long-term, low-interest rate loans to finance locally owned and managed projects. In this case again, direct lending has been employed as the best financial device for accomplishing a congressionally approved desirable public purpose.

Just recently the Alaska Housing Act (Public Law 52) was enacted by the Congress. This act authorizes the establishment of a \$15,000,000 revolving fund which can be used for making direct loans to finance the construction of sorely needed housing in Alaska. This legislation clearly recognizes the lack of other resources in Alaska justifies a direct lending program.

Two other pieces of current legislation dealing with direct lending in the housing field may be cited—one of which has just passed both Houses of Congress and one of which is still pending. The first is, of course, S. 1070, the Housing Act of 1949, which will have been signed by the President by the time this letter reaches your committee. The new act provides for loans to local housing authorities under title III, and to authorized local redevelopment agencies under title I. The second (S. 712) would give the Federal National Mortgage Association authority (similar to the authority which it at one time had with respect to rental-housing projects) to originate direct-mortgage loans on cooperative housing projects on terms comparable to those generally extended by private lenders. Thus, it is designed to make certain that, in the event credit is not available from private sources to achieve the public purpose involved, Government-originated loans on comparable terms will fill in the gap. In both of these areas the proposed legislation would authorize programs of direct lending in order to accomplish desirable public purposes—the provision of low-rent public housing and the stimulation of well-designed rental-housing accommodations, particularly for families of moderate income—and as purely business operations on the part of the Government.

I can only conclude, on the basis of our own experience, that the Commission's recommendation fails to recognize that lending per se is merely a means of accomplishing certain public purposes, and that the question of whether to employ this or other means must be decided by Congress in each case.

#### *Recommendation No. 9—Organization of the Housing Agency*

"We do, however, recommend that all housing activities be placed in one agency under a single administrator who should be given the type of authority which we have recommended for the heads of all agencies."

As we have indicated above in our comments on general management of the executive branch, we agree that the Commission's recommendations regarding the general organization of Executive Departments and Agencies are sound and consistent with accepted standards of good administrative organization. As a general rule, we agree that the agencies within the executive

branch should be grouped into departments as nearly as possible by major purpose. When so grouped, the heads of these departments should, under the direction of the President, have full responsibility for the conduct of their departments. We also agree with the Commission that it is generally unwise for subordinate officials of the executive branch to have authority independent from that of their superiors.

The consolidation of Federal housing activities has been a gradual process and, as the Commission has pointed out in another context, the establishment of the Housing and Home Finance Agency under Reorganization Plan No. 3 of July 27, 1947, provided a significant step toward the goal of complete integration. A review of the record of performance of the Housing Agency under the general supervision and coordination of the Administrator will show that the consolidation has brought a real measure of integration to the housing programs and functions represented.

It is my belief as Administrator that the present method of administration should have an additional period of trial and experience before a final judgment is formed on the subject of additional elements of authority. This is not to say, in the event of the general application throughout the Government of the management principles recommended by the Commission, we would oppose consideration of the application of those concepts to the Housing Agency. However, in view of the fact that we are on the threshold of new activities in the housing field within the framework of a statutory housing objective and in anticipation of extended discussion of the recommendations of the Commission affecting the Housing Agency, it seems to me that prudence would dictate the reexamination at a later date of the powers and authority of the Administrator to see if they are, in their entirety, both adequate and appropriate.

#### *Recommendation No. 10—Liquidating corporation for PHA activities*

- "(b) Public war housing program.
- "(c) Homes conversion program.
- "(d) Veterans' re-use housing program.
- "(e) Subsistence homestead and Greenbelt towns program.

"(f) Defense Homes Corporation."

"We recommend that the Congress give consideration to establishing one corporation under the Government Corporation Control Act of 1945, as amended, to take over the activities b. through f. above so as to afford the flexibility of management, and the simplification of budgeting, accounting, and auditing authorized under that act, and thus to expedite liquidation."

This recommendation touches on a very real problem which requires extensive study and consideration, especially in the light of the public housing title of the long-range housing bill which has now been approved by both Houses. As a result of that legislation, certain changes may be required in the organization of the Public Housing Administration which exercises the operating responsibility in each of the named liquidating programs (except the Defense Homes Corporation which has already been transferred to RFC). For example, it may be considered desirable to separate the liquidating activities from the permanent program responsibilities, but considerably more study is required before I should feel prepared to come to this conclusion definitely, and certainly before details of timing and method could be decided.

The several activities mentioned above, except the Defense Homes Corporation, are now under the jurisdiction of this Agency and are in liquidation. Every effort is being made to expedite such liquidation. All of the activities of the PHA are already within the purview of the Government Corporation Con-

trol Act which ostensibly guarantees the characteristics of management flexibility and administrative simplification which the Commission's recommendation seeks to obtain. For these reasons I do not believe that immediate action will accomplish the Commission's objective. Should the recommendations of the Commission pertaining to the consolidation of other housing functions be adopted, the conception of a liquidating corporation to serve even broader purposes would have more validity.

#### *Transfer of VA Home Loan Guaranty Program to Housing Agency*

"In our report on the Veterans' Administration we have recommended that these activities be transferred from the Veterans' Administration to the Housing and Home Finance Agency, which is engaged in almost exactly the same business. Great economies can be effected. A veteran will then be able to obtain one guaranty where now he frequently requires two. He will have to pay for only one appraisal. He will get his loan faster.

"The Veterans' Administration should continue to certify veterans eligible for loans under the law."

The recommendation referred to is Recommendation No. 6 in the Commission's report on veterans' affairs, which reads:

"The Commission recommends that the veterans' housing loan guaranty program be transferred to the Housing and Home Finance Agency, except that the Veterans' Administration should continue to certify the eligibility of a veteran for these guaranties."

There can be no question that the existence of two home loan insurance or guaranty operations in two separate agencies of the Federal Government results in duplication and overlapping of activities. I note that the staff of your committee recommends that consideration of this proposal be referred to the Committee on Banking and Currency. Inasmuch as I would recommend such a transfer only in conjunction with certain substantive legislation, such reference would seem to me desirable.

The difference in the statutory objectives of the FHA and VA programs, and the terms under which the two programs must operate, make it impossible for this Agency to accept, without qualification, the Commission's recommendation for transfer of the VA functions. At the same time, I do not feel that these statutory differences necessarily represent insurmountable obstacles, and a procedure could be adopted for effecting the essential objective of the Commission's proposal.

At the present time, the National Housing Act contemplates that the FHA, in underwriting mortgage risks, will carry out that activity under specific mortgage financing terms. Thus, property financed with FHA-insured mortgages must meet specific construction and property standards, and in the case of new construction, dwellings are inspected regularly during the construction period. The credit standing of borrowers is also checked by the FHA, and insurable mortgage amounts are determined on the basis of a careful governmentally operated appraisal process.

In the case of the Servicemen's Readjustment Act, on the other hand, provision is made for what amounts to the automatic guaranty of home mortgages made by private lending institutions. The only basic requirement in the act is that the mortgage and price paid by the veteran borrower not exceed the Veterans' Administration appraisal of reasonable value. It is true that the Veterans' Administration has adopted a system of property inspection, but there is no requirement that that system must be followed, and in many cases the loan guaranty activities, insofar as the Veterans' Administration is concerned, are virtually routine.



Under these circumstances it is our considered opinion that a simple transfer of the loan guaranty operations of the Veterans' Administration to the Housing and Home Finance Agency would in no way obviate the major problems which now exist because of the differing terms under which the two programs were authorized by Congress. In other words, it would still be necessary to apply an entirely different approach, within the Housing Agency, to insured or guaranteed residential mortgage loans, depending on the statute under which the insurance or guaranty was executed.

A more satisfactory approach for all concerned could, in our opinion, be taken along the following lines: Amendments could be made to the National Housing Act to adapt insurance programs of the Federal Housing Administration to make insured loans available to veterans on terms comparable to those now authorized under the Servicemen's Readjustment Act (for example, up to 100 percent of value, without the payment of an insurance premium, and with a gratuity of the first year's interest cost). In other respects, however, such loans would be processed through the regular underwriting system of the FHA, with inspections, requirements for observance of minimum property standards, etc. In this way, an FHA-insured mortgage to a veteran borrower would give him the same protection now enjoyed by all borrowers under the FHA system, but would, in the case of veteran borrowers, authorize the more liberal loan terms which the Congress set forth when it adopted the Servicemen's Readjustment Act.

*Recommendation No. 11—Transfer of FNMA to Housing Agency*

"We recommend that the Federal National Mortgage Association be placed under the Administrator of the Housing and Home Finance Agency."

This recommendation would further implement the basic policy of the Administration with respect to the organization of the Government's housing functions. As you know, Reorganization Plan No. 3 of 1947 consolidated most of these functions into the Housing and Home Finance Agency as a permanent organization to coordinate and supervise the administration of the Government's housing program. The FNMA provides the Government's secondary market for FHA-insured or VA-guaranteed residential mortgage loans, which is an increasingly important factor in housing production.

In this connection, my testimony of February 3, 1949, before the Housing Subcommittee of the Senate Committee on Banking and Currency on S. 712 recommended certain changes in the basic legislative authority of FNMA which, if enacted, will have a very important bearing on the volume of home construction and on the production of the types of housing most urgently needed. It is essential that the existing and proposed authority of FNMA be closely coordinated with related housing functions being carried out within the Housing Agency. This objective is presently sought as part of the work of the National Housing Council, but without a direct authority to be exercised by the Housing and Home Finance Administrator.

*Recommendation No. 12—Transfer of OHE to Housing Agency*

"We recommend that the Office of the Housing Expediter be placed under the Administrator of the Housing and Home Finance Agency since the work of the two agencies is clearly related."

I cannot agree with this recommendation. As explained in the report of the Commission, the Housing Expediter enforces Federal rent control and veterans' preference requirements in the sale and rent of new

housing units, which has an effect upon the Nation's housing supply—the primary responsibility of the Housing Agency. Accordingly, if the Office of the Housing Expediter were a permanent agency, I would certainly agree that it should be transferred to the Housing Agency, assuming, of course, that legislative authority therefor is granted by the enactment of the pending reorganization bill or otherwise. However, in view of the temporary nature of the Office of the Housing Expediter, I do not believe such transfer should be made. Under existing legislation, that Office should terminate on or before June 30, 1950. In my opinion, any advantages which would accrue to the Government through the consolidation of functions of that Office with functions of the Housing Agency, for the short period of time prior to that date, would be more than offset by the disadvantages involved.

I believe our position in regard to this recommendation is sound, notwithstanding the fact that the name "Office of the Housing Expediter" and the title "Housing Expediter" have become misnomers which confuse the public and result in unwarranted criticism of the Federal Government for having two separate housing agencies. Our proposals for changing these names have been previously presented to the Bureau of the Budget and to the Congress.

*Recommendation No. 19—Establishment of a national system of mortgage discount banks*

"We suggest that the Congress consider the creation of a system of national mortgage discount banks to provide real estate mortgage discount facilities for all private lending agencies over the entire real property field. This might include the present Federal home loan banks."

This recommendation is phrased simply as a suggestion that Congress consider the establishment of a national system of mortgage discount banks, and, of course, we have no objection to such consideration. The discussion of the recommendation in the report of the Commission, however, presents a number of arguments for such a system on the theory that if broad discount facilities are made available, it would be possible for the Government to reduce its present activities in the housing field.

Again, there is, in our opinion, a confusion in the Commission's report between the type of financial activity involved and the public purpose which it is desired to accomplish. Thus, it is probably true, as the report indicates, that Government-sponsored discount facilities would substantially increase the availability and fluidity of capital resources for real estate financing. The question, however, is whether these facilities alone would provide an effective answer to the country's housing problem, or whether the other and complementary activities now under way would not still be needed. In other words, the question again becomes this: "Is the Federal Government to be concerned only with the various types of credit facilities as ends in themselves, or is it to utilize various credit facilities as means of accomplishing certain basic housing objectives?"

As the Commission's report indicates, the proposal for a national system of mortgage discount banks dealing in all types of real-estate security was advanced and debated at great length in 1931 and 1932. There was considerable discussion of this subject in connection with the legislative history of the Federal Home Loan Bank Act adopted in July 1932. At that time the proposal for mortgage discount banks, operating in the entire field of residential real-estate securities, was finally abandoned in favor of a more restricted type of reserve credit system designed to serve long-term specialized home-financing institutions (savings and loan asso-

ciations, insurance companies, and savings banks). A major consideration leading to this decision was concern over the propriety and soundness of establishing under governmental auspices a system of discount banks which would, in effect, have encouraged the investment of short-term capital in long-term mortgages. It must also be recognized that the establishment in 1934 of the Federal Housing Administration has meant the development of a standard residential mortgage loan which has proved increasingly attractive in the private secondary market. The act also authorized the establishment of national mortgage associations to operate as secondary purchasers of insured loan paper. Although only one such association has been established (the Federal National Mortgage Association), it has served a useful purpose in providing the additional support needed to back up the private secondary market. The Home Loan Bank System itself has made a fine record in the 16 years it has been in existence and has proved by its operations a satisfactory and practicable means of providing a reservoir of reserve credit for long-term home-financing institutions.

It is my considered opinion that the principles on which this question was rejected in the early 1930's are still sound and that there would be drawbacks to the adoption of a national system of discount banks, of the type apparently contemplated by the Commission, at the present time. At the same time, there is no doubt that a general review of the Federal Government's activities in the broad field of fiscal management and supervision might be profitable in terms of recommendations for a better integration of all current reserve facilities. We would welcome a congressional study on such a comprehensive basis.

In this analysis of the Commission's recommendations we have generally avoided reference to the task-force report, entitled "Activities and Organization of Lending Agencies of the Government." This treatment has been deliberate for two principal reasons: First, the task-force report was, for all practical purposes, rejected and dismissed by the Commission; and, second, the task-force report contains so many errors of fact and, in our opinion, of conception and consequent judgment that to refute it would require a considerable effort and would produce a substantial document. We do not think the report deserves that attention, and recommend that it be set aside as of little value in connection with the recommendations discussed herein. Accordingly, we will not plan to make a detailed analysis of the report unless one is requested by your committee.

The recommendations of the Commission, taken as a whole, would have a considerable impact on the existing structure and operations of the Federal departments and agencies. For this reason and because such extensive and detailed planning would be required to resolve the many problems of policy, administration, and organization involved, I feel that it is impossible reasonably to estimate concerning reductions in personnel and in operating costs. Nevertheless, I feel confident that if certain of the Commission's recommendations in the general area of the Housing and Home Finance Agency are put into effect, some actual savings would certainly result and improved coordination of operations of Federal housing programs would be achieved. I do not believe that we are in a position at this juncture to set a dollar value on these economies.

I trust that the comments made in this letter will be of some assistance to you and to the committee in weighing the many and far-reaching recommendations of the Commission. To the extent that you would find more detailed comments of this agency to be helpful, please do not hesitate to call upon

me. We have been advised by the Bureau of the Budget that, while there is no objection to the submission of this report, the absence of such objection should not be taken to mean that all the views expressed herein necessarily reflect the views of the President as to the matters discussed.

Sincerely yours,

RAYMOND M. FOLEY,  
Administrator.

#### THE COMMUNIST WAR AGAINST RELIGION

Mr. WILEY. Mr. President, I send to the desk a statement which I have prepared regarding the Communist war against religion. I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at this point and following it that there be printed communications to me from Wisconsinites as well as an editorial from the Neenah-Menasha Times of June 25, 1949.

There being no objection, the statement, communications, and editorial were ordered to be printed in the RECORD, as follows:

#### COMMENTS BY SENATOR WILEY ON RED WAR AGAINST MAN'S SPIRIT

Throughout the world the Communists are waging a war to replace the cross of Christianity, the star of David, and the sword of Islam by the red star of Moscow. In every land where there is a Communist movement the master planners of atheism are fighting to destroy the church and organized religion in every form. I have commented upon this matter previously in the Senate and have pointed out that if the Reds should succeed in this ideological war, then a new Dark Ages will envelop the globe.

#### SITUATION IN RED SATELLITE LANDS

Behind the iron curtain the men of God, followed by their faithful believers, are waging a determined fight against the anti-Christ. But in land after land great voices of the church have been stifled or imprisoned. Archbishop Stepinac, Catholic primate of Yugoslavia; Lutheran Bishop Ordass of Hungary; Josef Cardinal Mindszenty, Catholic primate of Hungary; 15 Protestant ministers of Bulgaria; and countless others have been imprisoned behind the iron curtain. Next on the list are reportedly Archbishop Josef Beran, Catholic primate of Czechoslovakia, and Archbishop Matocha. In devoted Poland the Communists, as everywhere else, have sought the destruction of the Catholic press, the closing of the church schools, the silencing of courageous voices like that of Archbishop Stephen Wyszynski.

Vatican City reports further pressure on the Catholic faith in Rumania by all means of terror, oppression, and pressure. Albania's Communist government is charged by the Holy City with killing, imprisoning, and expelling virtually all the Catholic clergymen.

Never before have the forces of godlessness possessed the power that they now have in the age-old war of materialists against man's freedom of conscience. Never before have they been able to use the press, radio, motion pictures, secret police, informers, violence, to the degree that they can today against those who assert the fatherhood of God and the brotherhood of man.

#### THE CHALLENGE TO US

It is up to us in the last free ramparts of earth to give our moral and material encouragement to the greatest possible extent to the churchmen and devoted masses in the Old World who are holding the fort against the Asiatic barbarianism which is sweeping over the globe.

#### RESOLUTION OF THE WISCONSIN DEPARTMENT OF THE CATHOLIC WAR VETERANS

Whereas the Christian world is horrified at the diabolical machinations of the communist Hungarian Government to remove from office His Eminence, Joseph Cardinal Mindszenty, primate of Hungary, thereby attempting to kill off Catholic life and leadership in Hungary; and

Whereas the barbarism displayed in harassing and trying to break the spirit of this illustrious prince of the Catholic church is accompanied by the fiendish desire to inflict a death penalty that is intended to heap ignominy upon his memory just as the crucifixion was intended to heap disgrace upon the Saviour of mankind; and

Whereas the voices raised in defense of this great champion of liberty and the basic rights of men as well as the things of God, are few and faint: Now, therefore, be it

*Resolved*, That the Wisconsin Department of the Catholic War Veterans in conference assembled on the very day which in these United States has been designated as a day of prayer to ward off persecution and to obtain for all Christian brethren behind the iron curtain strength and protection from Heaven, humbly implore the divine clemency to grant this much-needed help from above; be it further

*Resolved*, That the Wisconsin Department of the Catholic War Veterans in the name of all its members raise its voice in vehement protest against those who, in the arrest, mock trial, and condemnation of His Eminence Cardinal Mindszenty and codefendants are attempting to trample under foot the most sacred rights of individuals and nations and the God of nations, whom they would dethrone, were it within their power; be it further

*Resolved*, That we declare our firm and unshaken conviction that His Eminence Cardinal Mindszenty is innocent of any crime against church or state, against God or man; rather, that in future annals of history he will be regarded as a hero, a martyr, a victim of an injustice so repellent that it cries to heaven for vengeance; be it further

*Resolved*, That we behold in this most recent attempt of God's enemies to discredit religion a most sinister plan to insult the consciences of all right-thinking men. Success in this attempt would embolden them, to be even more ruthless in their endeavor to stamp out religion altogether, and by doing away with religion destroy likewise the props of all governments that base their rights upon God; be it further

*Resolved*, That a copy of this resolution be sent to President Harry S. Truman, to Senators Alexander Wiley and Joseph McCarthy in support of any action our Government may see fit to take in opposing the tyrannies herein described.

COURT JEREM, No. 1031,  
CATHOLIC DAUGHTERS OF AMERICA,  
Stevens Point, Wis.

THE HONORABLE ALEXANDER WILEY,  
United States Senate, Washington, D. C.

DEAR SENATOR WILEY: We, the members of Court Jerem, No. 1031, Catholic Daughters of America, have received and read at our last meeting the reprint from page 969 of the CONGRESSIONAL RECORD, of February 8, 1949, giving your statements before the United States Senate concerning the trial of Cardinal Mindszenty of Hungary. We wish to express our heartiest commendation for your protest against this atrocious act of a Communist-controlled government, and it is our sincere hope that you continue your good work along these lines.

Very truly yours,

(Mrs.) GRACE HALVERSON,  
Secretary.

[From the Neenah-Menasha (Wis.) News-Times]

#### RED PERSECUTION OF CLERGY

The various incidents of Communist-inspired persecution of European religious leaders which have the entire Christian world boiling over in indignation, may, severe as it is, be serving the long-time interest of the religions of the earth—and to the detriment of the Reds.

The trumped-up charges, the tortures, the imprisonments, all of the gouging of the organized clergy, may prove as effective as the tax measures and too-strict maternalism of Britain over the early day American colonies—people who would be free, find the way to freedom. "Freedom to worship" is more than idle phrase. It is innate in man to revere his omnipotent, seen in various guises through the various religions. And he will worship, no matter how heavy an iron heel is grounded into his body.

The Red-inspired persecution of religious leaders, therefore, may but coordinate opposition not only to religious suppression, but to the other suppressions and persecutions common to the Communist ways of these times.

Men will be martyrs to their God—when the Reds attack man through his spiritual side, they are invoking a tremendous wrath.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 40. An act for the relief of William D. Norris;

S. 275. An act for the relief of Arthur C. Jones;

S. 897. An act for the relief of William Henry Tickner;

S. 1080. An act for the relief of James A. Gordon;

S. 1266. An act for the relief of Hayward O. Brandon;

S. 1330. An act to authorize the sale of certain allotted inherited land on the Winnebago Reservation, Nebraska;

S. 1405. An act to provide for the admission to, and the permanent residence in, the United States of Poon Lim;

S. 1429. An act for the relief of Lacey C. Zapf; and

S. 1742. An act removing certain restrictions imposed by the Act of March 8, 1888, on certain lands authorized by such act to be conveyed to the trustees of Porter Academy.

The message also announced that the House had insisted upon its amendment to the bill (S. 1407) to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MORRIS, Mr. MURDOCK, Mr. WHITE of Idaho, Mr. DEWART, and Mr. LEMKE were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 29. Concurrent resolution favoring the suspension of deportation of certain aliens;

S. Con. Res. 31. Concurrent resolution favoring the suspension of deportation of certain aliens; and



S. Con. Res. 32. Concurrent resolution favoring the suspension of deportation of certain aliens.

#### THE NORTH ATLANTIC TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive L (81st Cong., 1st sess.), signed at Washington April 4, 1949.

Mr. IVES. Mr. President, yesterday the junior Senator from New York [Mr. DULLES] and I received from Hon. Henry L. Stimson, former Secretary of State and former Secretary of War, a brief message in reference to the North Atlantic Treaty. The message is powerful and effective. Because it is so brief, I shall read it into the RECORD:

STATEMENT CONCERNING THE NORTH ATLANTIC TREATY BY FORMER SECRETARY OF STATE AND FORMER SECRETARY OF WAR HENRY L. STIMSON  
TELEGRAPHED TO UNITED STATES SENATORS IRVING M. IVES AND JOHN FOSTER DULLES, JULY 19, 1949

I am much troubled by the press reports that the North Atlantic Treaty may be in some danger from opposition in the Senate.

It is my deep conviction that, if the Senate should refuse its consent to the treaty or if it should attach reservations requiring the hazardous and disheartening process of renegotiation, it would be a disastrous repudiation of the traditional American effort to maintain and advance human freedom and peace in the world. It would be a repudiation of a tradition which goes back to the Monroe Doctrine.

The Monroe Doctrine recognized that the freedom and security of this country required the defense of freedom in the entire western hemisphere. At first that Doctrine was a unilateral policy of the United States, but in the last 20 years we have been working to strengthen this policy by a broader concept of collective responsibility and collective action. This broader concept, expressed in the Treaty of Rio de Janeiro, is now the settled policy of the American nations.

The Monroe Doctrine was a doctrine for the Americas. But, with the growth of modern scientific and industrial capacity, we have learned that the defense of freedom here cannot be limited merely to the shores of the Americas. In two great wars we have been forced to recognize that the freedom and security of America are dependent upon the maintenance of freedom and security in western Europe and the whole of the North Atlantic area. It is our recognition of this broader responsibility which has led us since 1945 to adopt a firm policy of cooperation with western Europe. This policy has taken its economic form in the Marshall plan. Its political and military form, foreshadowed by the notable resolution which fittingly bears the name of Senator VANDENBERG, is now embodied in the North Atlantic Treaty. This treaty in keeping with our modern concept of cooperation is not a unilateral commitment; it is a treaty for "effective self-help and mutual aid," and in this respect it is exactly parallel to our present policy in the Americas.

Some have argued that the treaty commits us to military aid which we may not wish to give. I cannot understand this argument. We are committed, if we ratify the treaty, to a policy of self-help and mutual aid. This means that we shall be committed to give military assistance whenever we honestly recognize that the common purpose of the treaty requires such assistance. It is my personal conviction that there is a pressing present need for a moderate program of this sort. But as to the size and form of such a program, men may differ honestly within the framework of the treaty.

It is further argued that the treaty is too narrow—that our commitment to resist aggression cannot be safely limited to a single geographic area. Even if so, how is it possible to advance the cause of collective security by rejecting this major forward step on the road to collective security? Is the world a more dangerous place to live because the North Atlantic area is made safe? The Secretary of State has made it amply clear that the treaty is not to be construed as a narrowing of the interests and obligations of the United States. The treaty deals with an area of the utmost immediate importance to the cause of freedom. Shall we reject it because it does not deal with everything at once?

This treaty has been framed on the advice of the Senate, negotiated and signed in good faith by 12 nations, and reported to the floor by a unanimous committee. It embodies a single fundamental principle: That we will make common cause with other freemen in the Atlantic area, prevent aggression if possible, resist it if we must. This is a great commitment. Surely it is not greater than the need.

Men with doubts must not think that they can vote against the treaty without voting against its basic principle. If this treaty is beaten, or if its great meaning is befogged by reservations seeming to proceed from fear, we shall not soon be able to repair the damage. The North Atlantic Treaty is now the touchstone of our resolution to keep on with our historic struggle for the cause of peace with freedom. No matter what the intention, no matter what the reasoning of Senators who vote to weaken the treaty, their votes will weigh in the scales against this cause.

Very sincerely yours,

HENRY L. STIMSON.

Mr. LUCAS. Mr. President, early yesterday afternoon the Senate, out of respect for the memory of the late Justice Murphy, took a recess until 12 o'clock today. The Senator from Illinois was absent from the Chamber at the time. I have noticed the colloquy which occurred between the able Senator from Texas and the able Senator from Nebraska with respect to a night session today.

In view of the fact that a large number of Senators desire to speak upon the treaty, we have concluded that we shall have a night session today, and I am willing to remain here as long as any Senator desires to speak. Of course, the unanimous-consent agreement effective on tomorrow still remains in force.

The VICE PRESIDENT. The Chair would like to state that, as the Senate knows, he has not engaged in the practice of making a list of speakers, because he has tried to observe the rule that the Chair should recognize the first Senator on his feet asking for recognition.

A list of speakers has been handed to the Chair, and the Chair understands that the list has been made up on the floor, by mutual agreement. The Chair is not bound by the list, and may deviate from it in one or two instances. But if Senators who are seeking recognition according to this arrangement are on their feet asking for recognition, the Chair will try to follow the arrangement, in view of the importance of this debate and the importance of carrying it on in an orderly way. If, however, at any time the Chair should think it proper to recognize some Senator not on the list, if he is asking recognition, the Chair would think that proper.

Mr. LUCAS. Mr. President, I know nothing about any list. I have kept no list on my desk. There are a great number of Senators who wish to speak. We have had some days when those who desired to speak on the treaty were not ready. Now we come to the last day and we find a long list of Senators who desire to address themselves to this particular question. It seems to me that the Chair is not duty bound to follow any list at this particular time, and that a Senator who is on his feet seeking to obtain recognition should be the Senator who is permitted to address the Senate.

As I have said, in view of what occurred yesterday, I am willing to remain here tonight, in order to accommodate any Senator who wishes to address the Senate.

The VICE PRESIDENT. The Chair would like to observe that, of course, when a number of Senators rise and address the Chair, it is not always possible for the Chair to determine which Senator addressed the Chair first. The Chair will exercise his best judgment in that matter.

In view of the number of speakers contemplated today, the Chair will try to expedite the business of the Senate to the best of his ability.

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. LUCAS. I yield.

Mr. WHERRY. In view of the statement which has been made in regard to a list of speakers, let me say that I handed the list to the Vice President. I understand that under the unanimous-consent agreement, the distinguished President of the Senate will give priority to those who wish to speak on the pact.

The list which has been handed to the President of the Senate includes the names of Senators who have signified to me that they would like to address themselves to the pending business. There is no arrangement as to the order in which Senators shall be recognized, except I may say that when they have informed us that they would like to speak on the pact, they have been listed as they have given such notice; and if that fact has any force or effect, I would suggest it to the Vice President.

In view of the announcement by the distinguished majority leader that there will be a night session, and in view of the fact that several Senators have indicated that they would like to speak on the pact, it would certainly seem that we shall be required to continue the session beyond 6 o'clock this evening. So I deeply appreciate the announcement, and I thank the majority leader for making it thus early in the day.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from West Virginia.

Mr. NEELY. I should like to inquire whether there is to be any limitation on the speakers today as to the amount of time they may consume. The reason for my inquiry is that I note there are eight names on the list on the Vice President's desk at the present time and one of the Senators whose name is on the list has told me he expects to speak at least an hour, possibly an hour and a



half, if there is to be no limitation. Of course, there are eight on the list, and I know of some other Senators who hope to speak in addition to those. If every Senator speaks as long as he wishes, manifestly even those whose names appear on the list before the Vice President will not have an opportunity to address themselves to this subject. So it seems to me there should be some reasonable limitation.

The VICE PRESIDENT. There is no limitation on the debate of any Senator. The only limitation is that a vote be taken tomorrow at 5 o'clock. At 2 o'clock tomorrow the Committee of the Whole will rise and report the treaty to the Senate.

Mr. NEELY. Mr. President, will the Senator yield further?

Mr. LUCAS. I yield.

Mr. NEELY. Let me submit there should be some reasonable division of the time, so those who wish to speak will not be foreclosed by some Senator or Senators consuming three or four times as much of the available time as anybody else will be able to use.

The VICE PRESIDENT. That is a matter the Chair cannot control. The Chair would not declare a Senator out of order if he skipped a page or two in his speech.

Mr. BALDWIN. Mr. President, when the people of any nation are richly endowed with natural resources; when they produce from such resources a material wealth which surpasses that of any other nation; when they build a free way of life which challenges the imagination of countless millions in this world, they have created a rich, priceless prize for conquest.

All the lessons of our 160 years of history as a Nation have taught us that. We did our best to avoid entanglement in the gigantic struggle which raged in western Europe in the Napoleonic era. Yet, try as we might, we ultimately became involved. The war between the States involved us in difficulties with both France and Great Britain. When Germany marched into Belgium in 1914 and engulfed most of the nations of western Europe, most Americans realized that sooner or later we would be threatened, as indeed we were. Most of us here today can recall our fears when Germany appeared to be gaining the upper hand and when the British Navy seemed unable to cope successfully with the submarine menace. We wondered how soon it would be before a triumphant Germany bound on world conquest would threaten our shores. In those days, when the power of German arms seemed to be increasing and victory almost within reach, the utter disregard of the arrogant Kaiser for American rights showed us that, once his enemies had been subdued in western Europe, we surely sooner or later would be the next victim.

Again, in 1940, when France fell and the British were all but driven to their knees, Americans feared, and rightly so, that victory for Hitler in Europe might well mean, sooner or later, an attempted conquest of these United States. We were too powerful and too rich to be ignored. Our influence was too great to be overlooked.

So, in 1917 and again in 1941 we unwillingly entered the contest while we yet had friends and supporters to help us, while allies were still available to us. And by our strength and fighting skill we were able to stop the tide of conquest and subdue the aggressor.

We Americans know that a major conflict between two or more nations in the world today will ultimately involve us. History has taught us that lesson. We know that the hope of security and peace by isolation is futile and dead.

Throughout our national history, we Americans have tried to foster peace. We have never been the aggressor. By diplomacy, by force of arms, we have striven to protect our own independence, to guarantee our own security, to prevent war.

The Monroe Doctrine was one such notable example of our efforts, by diplomacy, to protect ourselves and to preserve our own security in the Western Hemisphere. More than one hundred years ago we told the world that any effort at conquest in the Western Hemisphere would be considered as an attack upon us. That doctrine had a most salutary effect upon the development of our Central and South American neighbors. In the announcement of that doctrine, however, we had asked nothing from our Central and South American friends. While the doctrine did protect them, it primarily protected us.

But in a world in which time and space have all but been eliminated, we have implemented that doctrine in the Western Hemisphere by the Rio Pact. In that pact we reaffirmed the Monroe Doctrine. But we also established with the nations in the Western Hemisphere an understanding and agreement that, in the event of an attack by an aggressor from outside the Western Hemisphere, we would stand together, as one, in mutual defense.

Following the armistice in 1918, we made a bold attempt to build an organization for world peace. The men who conceived that ideal lived ahead of their time. The world was not ready for it. Nor was America. We had, as yet, failed to grasp the full significance, to us, of major conflicts in western Europe and in other parts of the world. The League of Nations failed because we, and the other nations of the world, were not ready to support it.

"The blood and sweat and tears" of World War II compelled a second attempt at organization for world peace and produced the United Nations. In many fields of international human relationships, the United Nations has already accomplished great things. However, because of a lack of unanimity in action for world peace, many Americans and people elsewhere in the world are beginning to think that, unless strengthened, it too must fail to solve the riddle of the ages, the prevention of war, by the establishment of law and the administration of justice in the settlement of international misunderstandings and disagreements.

There have been introduced in the House and in the Senate many resolu-

tions, each one expressing the high hope that the United Nations might be strengthened to accomplish its objectives; each one offering new plans to achieve that success. The central theme of most of these resolutions has been that, if we cannot achieve unanimity with all of the nations signatory to the United Nations Charter, we can evolve, within that charter, a unanimity among a smaller group working for the prevention of war and the establishment of law and justice.

It is of great significance that after the introduction of several of these resolutions, the Foreign Relations Committee of the Senate unanimously reported the so-called Vandenberg resolution, thus endorsing the purposes and objectives therein set forth. That resolution sought as its first objective:

Voluntary agreement to remove the veto from all questions involving pacific settlements of international disputes and situations, and from the admission of new members.

That is a high and noble objective, but realists are frank to admit that presently it appears impossible of accomplishment.

The resolution goes on to state:

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security.

(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting its national security.

(5) Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

Let us now examine this resolution, and the Atlantic Pact which is now under consideration, in the light of the experience that our history has brought us.

First. This resolution and the Atlantic Pact itself are national declarations by the representatives of the people of the United States of our allegiance to, and faith in, the United Nations. They are reaffirmations of our sincere and abiding belief in the efficacy of the administration of law and justice in the settlements of international differences. They say that the American people want peace, not war, and that they are willing to set up effective organizations to secure the administration of law and justice. They are more than statements of diplomatic policy by our State Department or by our President. They are, under our Constitution, with our approval, the considered, debated, voted-upon, and approved expressions of the American people themselves.

The distinguished Senators from Ohio [Mr. TAFT] and Vermont [Mr. FLANDERS]



have introduced a most important resolution—a resolution which would authorize and direct the President to pronounce what, in effect, amounts to a Monroe Doctrine applicable to the whole Atlantic area. That is a laudable and proper thing. But have we not already gone further than that with the Monroe Doctrine itself? Why should we then provide that the President could establish an American policy for western Europe which we as representatives of the American people are not, as a body, now willing to affirm? Have we not already, in the Rio Pact, reaffirmed the Monroe Doctrine as it applies to the Western Hemisphere, and also set up a protective, defensive organization with mutual responsibility among all the nations in the Western Hemisphere? We have therein provided a multilateral arrangement in place of the unilateral arrangement for the Western Hemisphere. The Atlantic Pact likewise provides more than a unilateral arrangement for the Atlantic area. It provides a multilateral arrangement for protection and defense and for mutual development.

As we were aware in 1917, and again in 1941, that we needed allies and friends to contend with aggression, so in this Atlantic Pact as in the Rio Pact we are bringing to our side allies and friends before war may come upon us.

Great emphasis has been given in this debate to articles 3 and 5 of the treaty. They are extremely significant and important articles. But so is article 9, which establishes a council in which each of the nations signatory to the pact shall be represented to consider matters concerning implementation of the treaty. There is the beginning of a working organization of freedom-loving people with a common interest—that interest being the promotion of peace and the protection from threats to that peace. We have done this at a time when many nations are still free to make a choice to come into this pact. This pact is not a threat to any nation anywhere unless that nation chooses to cast itself in the role of an aggressor.

The point has been forcefully made that we have not included in the pact as many nations as should be included. Article 10 of the pact provides that by unanimous agreement "any other European state in a position to further the principles of this treaty and to contribute to the security of the North Atlantic area" may be invited to accede to the treaty and join the pact. Thus, it is not static. Rather, it opens up a new avenue to future developments as events may indicate or require.

It is forcefully claimed that this pact commits us, morally, to the obligations of helping to rearm the other signatories to the pact. There is no such direct commitment made in this agreement as I understand, either directly or indirectly, morally or otherwise. As in 1917 and again in 1941, if attacked, we might find ourselves under the compelling necessity of helping to rearm these nations, or some of them, even though there be no pact whatsoever. An act of Congress could accomplish that, without the Atlantic Pact, if we thought it necessary

from the standpoint of our own security to do so.

The proposition has been advanced that, rather than attempt to strengthen the armed forces of the nations signatory to the pact, we should create within the pact itself an international force to which all of the nations signatory could contribute. Such a development is completely within the range of possibility under the terms and provisions of the treaty. The Council provided for in article 9 could well decide upon such a course.

It has been claimed that this pact violates the provisions of the United Nations Charter and has the effect of weakening the United Nations Organization. Article 7 of the treaty provides:

This treaty does not affect, and shall not be interpreted as affecting, in any way the rights and obligations under the charter of the parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

Furthermore, this treaty follows directly the line already set forth in the Vandenberg resolution of implementing the United Nations Charter, under section I of article 52 thereof, which provides for:

\* \* \* the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action. \* \* \*

Much has been said about the risks involved in this pact. What risk do we run if we do not enter the pact? Mr. President, we run the same risk we would have run in 1917 if we had not entered the war and Germany had won. We run the same risk that we would have run in 1941 if we had not entered the war then and Hitler had won. We run the risk of standing alone in the world, of losing the Allies and friends who now have indicated, at great danger to themselves, that they desire to be on the side of peace, freedom, and justice, which is our side. We run the risk of losing ultimately such world trade as we now have. We run the risk of involving ourselves in a tremendous, burdensome, expensive, permanent Military Establishment for our own protection. We run the risk of losing the resources of manpower and material which this pact makes available for helping our own defensive measures. We run the risk of losing for centuries to come the hope and possibility of building a world organization for the establishment of law and justice in the settlement of international disputes. In short, we run the risk of losing everything that we hold dear and priceless. We would deny every lesson history has taught us if we do not approve this pact.

Mr. President, I shall vote for the ratification of this treaty, with no apologies and with the firm conviction that it offers decidedly the best course now for America to follow.

Mr. KEM and Mr. HUMPHREY addressed the Chair.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from Connecticut yield; and if so, to whom?

Mr. BALDWIN. I yield first to the Senator from Missouri.

Mr. KEM. The Senator from Connecticut has said that history has taught us that what is proposed is the best course for us to follow. I should like to ask the Senator whether history has taught us that the balance of power is an effective instrument of peace.

Mr. BALDWIN. No; I do not think it has.

Mr. KEM. I would ask the Senator if this proposed tract furthermore is not a return to the old device of the balance of power. Are we not here arraying the East against the West, using the same device that has brought so much woe to the world for thousands of years?

Mr. BALDWIN. No; I would say to the Senator from Missouri that I do not think anything of the kind. It has been a fact of history, however, that balances of power have in the world's history preserved the peace for a considerable period of time. They have ultimately broken down. However, I do not look upon the pending treaty as an attempt to attain a balance of power. I rather look upon it as an attempt to bring to our side before war is actually upon us the friends we might hope to have were we involved in a war, the friends we were decidedly glad to have on our side when we did become involved in war in 1917, and again in 1941.

Mr. KEM. What distinction does the Senator draw between this military alliance and the military alliances of the past?

Mr. BALDWIN. In the first place, this is a defensive alliance, if the Senator wants to call it an alliance. It is for our own protection; it is for our own defense. I do not know that it differs substantially from efforts which have been made in the past to align nations together for their own defense. It has this one distinct difference, however. This is a treaty to bring together under the United Nations Charter, to which so many nations of the world are already signatories, as provided in the Charter, a group for regional defense.

It seems to me it differs very materially in that particular regard from other efforts.

Furthermore, there is this difference: Unlike other treaties, and unlike much of the diplomacy of the past, here is a forthright announcement which tells everybody in the world what we are trying to do with this treaty, what its purpose is, and the whole world can read it. That has not been true of military alliances in the past. They were primarily secret.

Mr. KEM. Can the Senator recall any military alliance in history that was not put forth by the signatories as a defensive alliance?

Mr. BALDWIN. I think it is fair to say that most of them were. I will say, however, that nothing was said about many of them. They were kept in the dark. I do not consider the treaty before us primarily a military alliance. It is more than that, it is an alliance in which each nation agrees that it will try to develop free institutions of government, and endeavor to follow the so-called democratic process. It is a statement by the nations signatory to it

that they will try mutually to get together and arrange to develop their own resources, and take such action as will prevent war. I place great significance upon those particular provisions of the treaty, more, in fact, than I do upon the so-called defensive-alliance features, if the Senator wants to call them that, because I believe it is only by improving standards of living in the world, without seriously damaging or throwing away our own, that we can create an atmosphere in which war will be undesirable, in fact, impossible.

Mr. KEM. In view of the lessons of history to which the able Senator has so eloquently referred, can he still have hope in a military alliance as an instrument of peace?

Mr. BALDWIN. In answer, I will say that if this is a military alliance, then I do have hope in it for the maintenance of peace. I do not call it a military alliance.

Mr. KEM. Will the Senator please indicate the point of distinction between this military alliance and other similar military alliances in history?

Mr. BALDWIN. I think I have already pointed out two. One is that this is an alliance for other purposes than military defense; it is an alliance in which the signatories agree to develop free institutions of government within their own borders. It is an alliance in which the signatories, as nations bordering on the Atlantic, living within the Atlantic area, agree to try to get together and cooperatively improve trade relations and business, and there are many other things of that kind. So that it is more than a mere alliance saying that "If X attacks Y, then B, C, and D are going to Y's defense."

Mr. KEM. Are not Great Britain and Russia also in alliance for the purposes the Senator has just indicated?

Mr. BALDWIN. That may very well be true, but I would think that was all the more reason why we should have them on the dotted line, because in the event of trouble between Russia and the United States, if Britain has a treaty with Russia and none with us, their decision as to where they were going to throw their weight would be a good deal easier than if they signed on the dotted line with us in a mutual-defense alliance.

Mr. KEM. In view of the fact that Great Britain has signed treaties with both the United States and Russia, can the Senator be sure with which of its allies it will go in case of war?

Mr. BALDWIN. Yes, I would say that in the event of war, despite any agreement the Senator has spoken of between Great Britain and Russia, Great Britain would be on our side. I do not think there can be any question about it.

Mr. KEM. Does the Senator have in mind the statement of Mr. Clement Attlee, the Prime Minister of Great Britain, that in economic matters Great Britain looks to Russia rather than to the United States?

Mr. BALDWIN. If Mr. Attlee were speaking for the whole British people, that would be something to think about, but if Great Britain has a government that is responsive to the will of its peo-

ple, as I believe it has, and the question is presented as to whether Great Britain and its people and dominions are going to cast their lot on the side of Russia or on the side of the United States, I do not think there can be any question about how that issue would be resolved. They would go with us.

Mr. KEM. Does the Senator have in mind that the Prime Minister of Great Britain is not an authorized spokesman of the British people?

Mr. BALDWIN. I believe he is, yes, but oftentimes the authorized spokesman of any people may not be expressing the will of the people as they would like to have it expressed. Then they have an opportunity to change that expression. I think my distinguished friend is raising up meaningless ghosts if he feels that Great Britain's attempt to resume trade relations with Russia necessarily means they are going to abandon all their ties with us. I do not think it means any such thing.

Mr. KEM. I had in mind that the agreement between Great Britain and Russia was more than an economic agreement, that it was also a military alliance.

Mr. BALDWIN. I would say that if Great Britain had a defensive alliance with Russia and us, both those documents might rather help prevent war than encourage it. I think it would be much better than if they had an alliance with Russia and none with us. I would wonder where we stood, in that event.

Mr. KEM. Does the Senator regard Mr. Arthur Horner, the head of the coal miners union of Great Britain, as a representative spokesman for the working people of Great Britain?

Mr. BALDWIN. He may very well be.

Mr. KEM. Is the Senator familiar with the fact that Mr. Horner has said that in case of a war with Russia no coal would be mined in Great Britain?

Mr. BALDWIN. Yes, and Paul Robeson has said that in case of war between the United States and Russia all the Negroes would fight for Russia, but I do not believe it.

Mr. KEM. Does the Senator mean to indicate that Mr. Robeson is in such intimate association with our Government as Mr. Horner is with the government of Great Britain?

Mr. BALDWIN. No, I do not suppose he is, but I would say that Mr. Robeson is a spokesman for his group, and one whose word is listened to by thousands of Negroes. Nevertheless, if the British people should feel that because Mr. Robeson had said that, they were entitled to rely on it, I think they would be making a terrific mistake, just as we would be making a terrific mistake if we relied on what Mr. Horner said.

Mr. KEM. Does the Senator believe that the party to which Mr. Robeson belongs is as influential with the State Department and the White House as the party to which Mr. Horner belongs is at Whitehall and No. 10 Downing Street?

Mr. BALDWIN. I certainly hope not, and I believe not.

Mr. KEM. I should like to ask the Senator further if he has in mind the distinct reservation that Mr. Ernest Bevin

made in his statement in Washington at the time this treaty was signed by him on behalf of Great Britain?

Mr. BALDWIN. I do not recall it now. I knew he made some statement, but I do not correctly recall what it was. Does the Senator recall the purport of it?

Mr. KEM. The substance of it was he wanted the other friends of Great Britain distinctly to understand that nothing in this treaty in any way interfered with the obligations of Great Britain toward them, and that it should not be taken as an indication that Great Britain was not going to carry out any commitments it had with other allies and their friends.

Mr. BALDWIN. I think the Atlantic Pact itself has that direct provision in it. It seems to me that is a proper thing to have.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

Mr. BALDWIN. I yield.

Mr. DONNELL. I understood the Senator to make the point that this treaty is not static, and in support of that point to call attention to article 10 under which "The parties may, by unanimous consent, invite any other European state in a position to further the principles of this treaty and to contribute to the security of the North Atlantic area to accede to this treaty." Did I correctly understand the Senator?

Mr. BALDWIN. Yes.

Mr. DONNELL. May I ask the Senator whether there is any necessity for having any such sentence in the treaty at all? Does that demonstrate the non-static nature of the treaty? Could not the parties issue such an invitation without a sentence in the treaty to that effect?

Mr. BALDWIN. I suppose they could, but I think it is a desirable thing to have it in the treaty. It seems to me, if I may say so to my distinguished friend, the provision meets one of the objections made by the Senator from Missouri to the treaty in his statement that it was freezing the situation for 20 years. The point I make is that that sentence indicates that it is not freezing the situation for 20 years or 10 years, but that it makes it possible to bring in new signatories at any time.

Mr. DONNELL. I was not making the point that it is freezing the situation for 20 years in regard to the admission of any other countries. The countries signatory to the pact could, by unanimous agreement, admit other countries. My inquiry of the Senator is: Does he regard that sentence, which provides for the doing of something which can be done without the existence of the sentence in the treaty, namely, admission of other countries by unanimous consent of the parties to the treaty, demonstrate in the slightest that this treaty is a nonstatic instrument?

Mr. BALDWIN. It demonstrates that the men who drafted it and signed it indicated a desire on their part to receive within the provisions of the treaty other peoples who might be like-minded and might want to join. I think it is a very desirable thing to have in the treaty.



Mr. DONNELL. Mr. President, will the Senator yield to me for another question?

Mr. BALDWIN. Yes.

Mr. DONNELL. I have no doubt the Senator observes that the article itself, instead of saying that the parties may by unanimous agreement invite any other European state to accede to this treaty, places a limitation as to what states could be invited. Has the Senator observed that fact?

Mr. BALDWIN. Yes. I think it is desirable. The limitation placed there is that "The parties may, by unanimous agreement, invite any other European state in a position to further the principles of this treaty and to contribute to the security of the North Atlantic area to accede to this treaty." It seems to me it must provide that limitation. No one would want to invite a state to come in which would destroy the security of the North Atlantic area or destroy and defeat the purposes of the treaty.

Mr. DONNELL. Mr. President, will the Senator further yield?

Mr. BALDWIN. I yield.

Mr. DONNELL. Does the Senator understand that even though this sentence were not included in the treaty, the parties by unanimous consent could invite any nation they wanted to come into this treaty?

Mr. BALDWIN. That is absolutely so. The Senator from Missouri and I could get together and by agreement carry on business for 50 years because we would hope that we might eventually agree on everything that came up. But if we were to carry on business for 50 years, the Senator from Missouri, being the good lawyer he is, would probably want to have the agreement in black and white, and I, being a Yankee, would probably want it in black and white. I believe it to be desirable in the case of the treaty also, that the provision be in black and white.

Mr. DONNELL. May I ask my distinguished friend, who is a distinguished Yankee, to use his own words—and I myself use them in no sense of opprobrium, but rather of compliment—does not my friend the Senator from Connecticut, good lawyer as he is, and judge-nominate to the bench, agree that there should be in black and white in the treaty a provision that in the contingency that any country which is a party to the treaty becomes a communistic country, it should then be deprived of the right of remaining a party to the treaty, instead of relying on vague, tenuous, doubtful construction as to the meaning of its terms with respect to such a situation?

Mr. BALDWIN. I would answer that when we got to that particular point. As a matter of draftsmanship I would say I would have great difficulty in knowing how to frame the language to cover such an event. I even wonder how we could tell the other nations what kind of governments they ought to have. If one of the signatories to this pact becomes a communistic state, and is drawn behind the iron curtain, and becomes subservient to Russia, and wants to

espouse her cause, I think then is the time to deal with that situation. But I do not think that at the present moment we can say we should not sign the treaty because such a contingency might arise.

The Senator from Missouri [Mr. KEM] said Mr. Horner, of England, said something. He said Mr. Bevin said something. Some other contingency might arise. If we are going to delay action on the basis of that sort of argument, then we never could enter into a treaty. Some of the nations signatory to the treaty may break the treaty. That is a possibility; it may be almost a probability; but I do not think that is any reason why we should not ratify the treaty.

Mr. DONNELL. Mr. President, will the Senator yield further?

Mr. BALDWIN. I yield.

Mr. DONNELL. I want to refer in a moment to a sentence which indicates that this treaty is not so nonstatic. But before doing so I should like to ask the Senator a question. Is there in his opinion anything from the beginning of the treaty to its end which says that if any country shall become controlled by a Communist government it shall thereby be deprived of rights under the treaty?

Mr. BALDWIN. No, there is not. My frank opinion on that point is that it would have been impossible to include such a provision. I think that is a contingency which may arise, and when it arises then the council provided for in the treaty will have to deal with it.

Mr. DONNELL. Does the Senator believe that the Council has any authority under article 9 to say anything that shall be done except to make recommendations?

Mr. BALDWIN. No, it has not. I mean what is done at that particular time to change the terms of the treaty, or to exclude one of the nations which were signatories, would have to be decided by the Senate.

Mr. DONNELL. Is there anything in the treaty which says that the Senate shall decide or may decide whether a country shall be expelled from the treaty?

Mr. BALDWIN. No, there is not. But I think by fair implication that a question so grave as that would have to be decided here. I should want it to be decided here.

Mr. DONNELL. In the Senator's opinion, is there any reason to believe, from a legal standpoint, that our country is entitled to say that any more than Great Britain has the right to say that?

Mr. BALDWIN. No, I think every signatory to this treaty enters it with the full and complete knowledge that we have a certain system of government, we have a certain way of doing things, and they must expect we will follow that course when a question of great importance under the treaty arises. I think we must assume that.

Mr. DONNELL. However, I take it the Senator agrees with me that there is nothing from the beginning to the end of the treaty which says that if a Nation shall become communistic in its government it shall not be entitled to receive the benefits of the treaty. For

example, if the Communists should succeed in putting in a premier, or president, or whatever the officer may be, in France or Italy, there is nothing in the treaty which says that that country would become disintegrated to remain a member and receive the benefits of the treaty.

Mr. BALDWIN. I agree that there is nothing in the treaty which specifically deals with that question, except the provisions which specifically set forth its purposes and objectives. When one of the signatories attempts to pursue a course which is not in keeping with the agreement, it seems to me that it violates the terms of the treaty, and places itself outside the treaty.

Mr. DONNELL. The preamble of the treaty recites that the parties—

are determined to safeguard the freedom, common heritage, and civilization of their peoples, founded on the principles of democracy, individual liberty, and the rule of law.

Does the Senator mean to tell us that Portugal comes within the definition of a country whose freedom is founded on the principles of democracy?

Mr. BALDWIN. I do not say that Portugal is a democracy in our sense.

Mr. DONNELL. In any sense?

Mr. BALDWIN. Perhaps not in any sense. However, I do say that there is a provision which requires the members signatory to give consideration in their own lands to the development of responsive forms of government. It may very well be that in the course of time Portugal may become more nearly a republic than she now is. I think that would be desirable.

Mr. DONNELL. She could not get much further away from that status.

Mr. BALDWIN. I do not suppose she could.

Mr. DONNELL. Returning to the sentence in article 10 which, as the Senator argues, demonstrates the nonstatic nature of the treaty, am I correct in understanding the Senator to agree with me that notwithstanding the fact that there is a limitation in that sentence, by which the parties may by unanimous consent invite not any other European state, but any other European state in a position to do certain things, the parties may by unanimous consent admit any nation, even though this sentence is in there?

Mr. BALDWIN. A treaty can always be amended by unanimous agreement among the signatories, just as a contract can be amended by agreement of the parties.

Mr. DONNELL. Notwithstanding the limitation, the Senator agrees that the parties may by unanimous consent waive that limitation.

Mr. BALDWIN. Yes; if they all wish to do so.

Mr. DONNELL. On the other hand, does the Senator agree that there is a limitation, namely, that the only type of state which the treaty says the parties may by unanimous consent invite in is a state "in a position to further the principles of this treaty and to contribute to the security of the North Atlantic area to accede to this treaty"? Does the Senator agree to that?

Mr. BALDWIN. I think that is a very desirable provision. We would not want to include in the treaty a nation which would not attempt to further the principles of the treaty or would not attempt to develop security in the North Atlantic area. I do not believe that such nations ought to be in the pact.

Mr. DONNELL. What country does the Senator have in mind which might be admitted within the period of 20 years, under the provisions of article 10?

Mr. BALDWIN. Spain might be admitted.

Mr. DONNELL. Does the Senator believe that that would be in hearty accord with the present views of the Department of State of our Government?

Mr. BALDWIN. With respect to many things, I do not know what the views of the State Department of our country are. We all wonder at times.

Mr. DONNELL. According to the junior Senator from Michigan [Mr. FERGUSON], the State Department is responsible for what he terms the failure—or words to that effect—of the policy of our country in China and South America. Do we not wonder, and have just ground to wonder, whether its recommendation that we approve this treaty for 20 years should be considered, if not infallible, at least strongly persuasive?

Mr. BALDWIN. We have the benefit of the recommendations of the State Department. We have the benefit of the testimony of the Secretary of State. We have the benefit of many other authorities on this subject. However, each individual Member of the Senate must decide this question on his own responsibility, on the basis of all the evidence presented. That is the way I am deciding to vote for it. It seems to me, everything considered, that it is the best thing presently to do. That does not mean that because the State Department approves it, I agree with the policy of the Department in China, or anywhere else in the world. I think the distinguished Senator from Michigan pointed out most forcefully that in other places our diplomacy has failed. Our policy was apparently wrong. It does not necessarily follow that because the State Department makes a mistake in one instance, it makes a mistake in everything, and that consequently we ought to reject the treaty. We have the opportunity in the Senate to decide for ourselves whether we want to approve the treaty. We do not have that opportunity with reference to China. The most we can do is advise, and then face the responsibility for a decision which is made by someone else.

Mr. DONNELL. Does the Senator proceed on the theory that, the State Department having failed in so many illustrations, as, for example, in China, South America, and doubtless other places, by the law of averages it is probably right in connection with the North Atlantic Treaty?

Mr. BALDWIN. I do not mean any such thing. As a United States Senator with a limited knowledge of this subject, but with a very full record, plenty of testimony, and some little knowledge of world history, I say that, judging the treaty on all the evidence, as one member of a jury of 96 Senators, my verdict

is going to be in favor of ratifying the treaty.

Mr. DONNELL. Notwithstanding my rather loud voice, I am delighted that the Senator and I can carry on what I know is a perfectly friendly interchange.

Does the Senator have in mind that Germany might be one of the nations admitted by unanimous consent?

Mr. BALDWIN. She might be. I think that might be a good thing to work for.

Incidentally, in connection with the question asked by the Senator's distinguished colleague the junior Senator from Missouri [Mr. KEM] with reference to the Russian-British treaty, it has been brought to my attention that that treaty between Great Britain and the Soviet Union covers only an attack from Germany. It does not cover an attack from any other quarter. As a matter of fact, we offered to enter into a treaty with Russia on exactly the same basis.

Mr. DONNELL. With respect to Germany, the Senator doubtless recalls that portion of the address of the junior Senator from New York [Mr. DULLES] in which he referred to the possibility of integration of Germany into the west if the North Atlantic Treaty should be ratified, and the certainty of its nonintegration into the west if the treaty should not be ratified. Does the Senator recall that portion of his argument?

Mr. BALDWIN. I do.

Mr. DONNELL. Does the Senator believe that the alleged nonstatic provisions of the treaty, namely, article 10, the one with regard to admission by unanimous consent—which could be done without the article—is any guaranty that Germany is going to be integrated into the west?

Mr. BALDWIN. There is no guaranty in the treaty that any other nation is going to join it. However, in that language there is an express invitation. There is the expression of a possibility—indeed, a probability—that other nations can join. This sentence leaves the door open for them. If it were not in there they might consider that there was no door, or, if there were a door, that it was closed to them. This leaves the door open. It may very well be, in the development of time, that Germany will want to come in, and that the other nations will want to accept her. I think that would demonstrate a growth of the effectiveness of the treaty which I should hope to see.

Mr. DONNELL. The Senator does not say that article 10 contains an invitation to any other country to enter, does he?

Mr. BALDWIN. No; not a direct invitation. Article 10 indicates that the door is open.

Mr. DONNELL. In other words, the parties, by unanimous consent—just as the Senate can do things by unanimous consent—under this treaty could do what the Senator suggests without that provision of the treaty. That is all it indicates, is it not?

Mr. BALDWIN. Yes.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. BALDWIN. I yield.

Mr. DONNELL. Does the Senator believe that there is any certainty whatsoever

that France would ever consent to Germany being integrated with the west under this treaty? As bearing on the validity of the argument of the junior Senator from New York [Mr. DULLES] as to the great advantage of the treaty from the standpoint of the integration of Germany, does the Senator believe, considering the history of France, the Alsace-Lorraine chapter and other chapters of the history of France with which the Senator is so familiar, that there is any certainty whatsoever that France would ever consent to Germany being integrated, within the meaning that she will be brought in under this treaty?

Mr. BALDWIN. There is no certainty; but the representatives of 10 nations may say to France, "Are you going to continue this Alsace-Lorraine question indefinitely? Is it not time to try to settle it? Here is a vehicle through which we can do it. Is not now the time to get Germany in under the treaty, and commit her to the provision that she, along with us, will take steps to prevent war and aggression in the Atlantic area?" It seems to me that is a desirable thing to do. The fact that 10 out of 11 nations are urging upon the eleventh a particular proposition would be a most helpful thing. That is one of the possibilities.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. BALDWIN. I yield.

Mr. DONNELL. The Senator had an interchange with my distinguished colleague from Missouri [Mr. KEM], whom I am proud indeed to know is also opposed to the ratification of the treaty, along the lines that the treaty is a military alliance. I understand the respective views suggested by the two Senators. I ask whether the Senator from Connecticut was present on June 11, 1948, when the Vandenberg resolution was adopted by a vote of 64 to 4.

Mr. BALDWIN. My recollection is that I was; I think my name is included in the vote, as voting for it.

Mr. DONNELL. Very well. I ask the Senator also whether in the CONGRESSIONAL RECORD for June 11, 1948, he observes at page 7805, this question by the Senator from Vermont [Mr. FLANDERS]:

Still, do not those three paragraphs envisage the possibility of some relationship with the so-called western union which will be of a military nature?

And that on the next page the Senator from Michigan [Mr. VANDENBERG] responded:

It envisages any arrangement which is to the mutual aid of any group of peace-loving states in whatever fashion they may conceive it to be to the advantage of peace and security, and our relationship to it is subject to our decision on the same basis in respect to our national security and welfare. That decision will have to be justified by a two-thirds vote of the United States Senate in approving a treaty.

Mr. BALDWIN. That is correct.

Mr. DONNELL. That is a very broad statement that it—meaning the resolution, I assume—envisages any arrangement which is to the mutual aid of any group, and so forth.



Now I call attention to page 7792 of the CONGRESSIONAL RECORD for June 11, 1948, where the distinguished Senator from Michigan had this to say:

Pending this blessed outcome, it is inevitable that related questions of physical security should arise. This results and has resulted in immediate speculation abroad and at home regarding our American role in this collective-security base. The pending resolution is the responsible answer, so far as Congress can presently foresee. It declines automatically military alliances. It declines all peacetime renewals of the old, open-ended lend-lease formula. It declines unilateral responsibility for the fate of western Europe. It is none of those things; it is the exact opposite.

Does the Senator from Connecticut observe that statement by the distinguished Senator from Michigan?

Mr. BALDWIN. Yes.

Mr. DONNELL. In connection with the presentation of the case for Senate Resolution 239, I wonder if the Senator from Connecticut recalls whether the distinguished Senator from Michigan, in addition to the response he made to the distinguished Senator from Vermont [Mr. FLANDERS], said anything that is in any sense a contradiction of his statement that—

It declines automatically military alliances.

Does the Senator from Connecticut note that there is anything else in the observations of the Senator from Michigan on that occasion that in any sense contradicts that statement?

Mr. BALDWIN. My answer is that if the Senator from Missouri wishes to say that I see in this pact merely a military alliance, I suppose it is possible to say that it is a defensive military alliance. But I think what the Senator from Michigan meant at that particular time—and he went on to state other phases of the matter—is that what we are thinking about there is not that which is merely a military alliance alone; it is something more than that.

Mr. DONNELL. It is that and more?

Mr. BALDWIN. Yes; it is that and more.

Mr. DONNELL. That and more?

Mr. BALDWIN. Yes; that is the least part of it.

Mr. DONNELL. In other words, the North Atlantic Treaty is a military alliance and more; is that the Senator's view?

Mr. BALDWIN. The treaty brings together a group of nations who, in the event of an attack, agree to throw in their military resources as may be decided by them for the defense of the area. So it is a military pact and a highly desirable one.

Mr. DONNELL. Does the Senator concede that it is a military alliance?

Mr. BALDWIN. I think it might be called that in a limited sense.

But the Senator from Michigan further said:

It declines all peacetime renewals of the old, open-ended lend-lease formula.

There is no commitment that we shall give anyone anything. I note that my distinguished friend has borne upon that point very heavily throughout his argu-

ments, but I do not share his view as to that.

The Senator from Michigan also said on that occasion:

It declines unilateral responsibility for the fate of western Europe.

It does; yes. All of us are trying to get together to preserve peace in western Europe, because twice in our lifetime we have seen what a war in western Europe can do to us.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. BALDWIN. I yield.

Mr. DONNELL. Did the Senator from Connecticut hear the distinguished senior Senator from New York [Mr. Ives] read to the Senate earlier today a letter from the Honorable Henry L. Stimson?

Mr. BALDWIN. Yes.

Mr. DONNELL. Does the Senator from Connecticut recall that in the course of that letter Mr. Stimson said:

Some have argued that the treaty commits us to military aid which we may not wish to give. I cannot understand this argument. We are committed, if we ratify the treaty, to a policy of self-help and mutual aid. This means that we shall be committed to give military assistance whenever we honestly recognize that the common purpose of the treaty requires such assistance.

Mr. BALDWIN. Yes. Let me say that one of the common purposes of this treaty is our own security, our own protection, our own interest in peace. When we see that threatened, we are going to take action; and we are going to take it, treaty or no treaty, are we not? We always have in the past.

Mr. DONNELL. I would judge that we have, and that we should take whatever action is desirable in the interest of our country, but not the action under some set of circumstances which may arise in the next 20 years, and beyond our control, by which we shall be forced by contract to act, regardless of what our desires may be.

Mr. BALDWIN. Let me say that I do not think the language of the former Secretary of State and former Secretary of War, Mr. Stimson, is at variance with anything in the treaty.

Mr. DONNELL. I do not either.

Mr. BALDWIN. Because he limits it by the proviso.

Mr. DONNELL. Yes. In connection with the part of Mr. Stimson's letter which I have just read—

This means that we shall be committed to give military assistance whenever we honestly recognize that the common purpose of the treaty requires such assistance.

I say, of course, we are committed. There can be no question about it. Under article 5, whenever we honestly find that conditions require it, we are required to give assistance. In addition, under article 3 there is a distinct, definite, specific obligation that—

The parties, separately and jointly, by means of continuous—

In other words, uninterrupted— and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

That is what article 3 says; is it not?

Mr. BALDWIN. That is correct.

Mr. DONNELL. Does the Senator recall that in this morning's New York Times there is an article, which I now show him, in which it is said that Moscow accuses Italy under the pact?

Mr. BALDWIN. Yes.

Mr. DONNELL. I call attention to this portion of the Russian note:

"The aggressive nature of the North Atlantic Pact," the Russian note said, "is expressed in the extensive military measures that are being carried out by its participants for the increase of their armed forces and armaments, for the creation of an extensive network of air and naval bases, for preparation to utilize atom weapons, and so forth."

That is what it says, is it not?

Mr. BALDWIN. That is correct.

Mr. DONNELL. I want to repeat seriously at this point what I have said several times—certainly once—on the floor. I do not claim this is an aggressive pact; but I submit to the Senator and ask his comment on this question: Is it not thoroughly consistent with the argument I made on the floor of the Senate, as best I could, that Russia may regard it as aggression when she sees this "creation of an extensive network of air and naval bases, for preparation to utilize atom weapons, and so forth," unified under the action of a council, and unified under various articles of the treaty? Is it not entirely probable that just what Viscount Grey pointed out happened between Germany and Italy may result, namely, that Russia will say, "We had better not allow these 12 nations to build themselves up with all this network, which they are telling Italy now is going to be 'an extensive network of air and naval bases, for preparation to utilize atom weapons, and so forth'?"

Is it not, in the Senator's opinion, entirely probable, whether we agree with her or do not agree with her, that Russia, as she looks the matter over from her standpoint, as she sees all these extensive preparations going on, sees billions of dollars being expended on war matériel, sees air bases in Norway, Denmark, and elsewhere on down the line—is it not entirely probable that, instead of causing Russia to like it and say, "We are going to have peace on earth, good will toward men, from now on," Russia will say, "We had better protect ourselves, and we will build up our military strength to keep it at least equal with or perhaps greater than the strength of the 12 nations," and thus precipitate again the very situation that Viscount Grey pointed out as a thing which brought about World War I? Does not the Senator agree with that?

Mr. BALDWIN. I comment on that by simply asking, Did the Senator for one single moment ever think the Russians were going to agree to this, that they were going to like it, that they were going to approve it? I never did.

Mr. DONNELL. Nor did I.

Mr. BALDWIN. I shall vote for the pact regardless of what the Russians think about it, because it is for our own protection.

Mr. DONNELL. I too shall cast my vote regardless of whether Russia likes it or not.

Mr. BALDWIN. That is the way I feel about it. In the second place, the Senator has talked about billions of dollars for defense and air bases in Norway, Denmark, and elsewhere. Of course, that may ultimately come. The treaty makes it possible. It opens a possible avenue for that, but it requires another decision on the part of the signatories to the treaty, through the Council. It requires another decision on the part of the Congress of the United States. But it seems to me, if we are going to say we shall not take any measures for our own mutual protection, for instance, to keep France on our side, because our intentions may be misinterpreted, and deliberately misinterpreted, by some nation, then it means we are going to lie down supinely and say nothing and do nothing for our defense, because some other country may not like it. I do not think that has ever been the American attitude. We must expect, therefore, some criticism of this kind; and of course we are getting it. Let me say, further, that any nation that assumes this is a direct threat to them, in order to entertain that assumption, has got to say, "It is a direct threat to us, because they think we are going to be an aggressor." And it is a threat to them, if they are going to be an aggressor; and that is what the treaty is for. That is the main purpose of it. So I say that Russia in her attitude is very well giving us cause to believe that she does not like this thing, because possibly she had some intentions in this particular area. So I do not know why we should not, for our own protection and our own security, take action with other nations, while they are yet free to take action themselves independently, for our own mutual protection of the whole area. Perhaps we shall arrive at a stalemate which will make possible the ultimate solution of the whole thing on a peaceful basis.

Mr. DONNELL. Mr. President, will the Senator yield for one final point?

Mr. BALDWIN. I yield.

Mr. DONNELL. I want to say, first, of course, neither the Senator nor I would be governed in our vote by what Russia wants or likes. We would be governed by what we think is best for the interests of the world and best for the interests of America. But I should like to ask the Senator whether he does not agree, in view of the expression by Russia in this morning's newspaper, that instead of this merely causing Russia to crawl into a corner and say, "From now on we are not going to do a thing in the world, we are going to quit military armament, we are not going to do anything toward arming ourselves," it is perfectly obvious that Russia is very apt to take directly the contrary position, such as was taken by Germany and England before the World War, and build up her armaments, so that, as has resulted from almost if not every military alliance in the history of the world, we shall have an arms race between contending

nations? Is not that perfectly reasonable to suggest?

Mr. BALDWIN. That is reasonable to suppose. But the other side of the thing is, if we do nothing about this, are we not entirely in our rights minds when we assume that Russia ultimately will move into western Europe with her techniques and take over all western Europe, build up the whole area against us, and leave us all alone, free and independent, in glorious isolation, and in an impossible position?

Mr. NEELY. Mr. President, will the Senator yield?

Mr. DONNELL. Just a minute. The Senator has asked me a question, whether I do not agree that Russia would move into western Europe, if we do not go into this treaty. I do not agree with that at all. I think the United States of America is amply able to let the world know where she stands, without tying herself up for 20 years in the quarrels and difficulties and controversies of 11 other nations.

The final point, Mr. President, is, if the Senator will yield for this one final question—

Mr. BALDWIN. I yield.

Mr. DONNELL. In a monograph entitled "A Brief Study of Treaties of Alliance," by Mr. Halford L. Hoskins, Senior Specialist in International Relations of the Legislative Reference Service, Library of Congress, issued in 1949, there appears the following statement:

The motives and purposes that bring sovereign states into alliance are never uniform for all members of the pact. Consequently, one member or another of an alliance formed originally for defensive purposes may not infrequently employ the relative security supplied by the joint association to pursue unworthy objectives which could not safely be undertaken from an isolated position.

Does the Senator agree with that observation?

Mr. BALDWIN. I think that is a possibility; yes.

Mr. KEM and Mr. NEELY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and if so, to whom?

Mr. BALDWIN. I think the Senator from Missouri was on his feet first. I therefore yield to him.

Mr. KEM. Mr. President, I ask the Senator from Connecticut whether he did not make some reference to the treaty between Great Britain and Russia in connection with his colloquy with the senior Senator from Missouri, and if so, what that reference was?

Mr. BALDWIN. I understood the treaty between Great Britain and Russia was a defensive treaty as against Germany. That may or may not be true.

Mr. KEM. That is, against Germany alone?

Mr. BALDWIN. I understand that to be the fact. It may or may not be. I frankly say I am not completely informed on the subject.

Mr. KEM. I ask the Senator whether these are not provisions of that treaty, reading from article 3 and a portion of article 4, of part 2:

## PART II

### ARTICLE III

(1) The high contracting parties declare their desire to unite with other like-minded States in adopting proposals for common action to preserve peace and resist aggression in the postwar period.

(2) Pending the adoption of such proposals, they will after the termination of hostilities take all the measures in their power to render impossible a repetition of aggression and violation of the peace by Germany or any of the States associated with her in acts of aggression in Europe.

### ARTICLE IV

Should one of the high contracting parties during the postwar period become involved in hostilities with Germany or any of the States mentioned in article III (2) in consequence of an attack by that State against that party, the other high contracting party will at once give to the contracting party so involved in hostilities all the military and other support and assistance in his power.

In other words, is it not true that the treaty is directed not against Germany alone, but rather against Germany or any of the states associated with her in acts of aggression in Europe?

Mr. BALDWIN. Yes; that is correct.

Mr. KEM. That would include Italy; would it not?

Mr. BALDWIN. That would include Italy; yes.

Mr. KEM. Can the Senator be surprised that the Russians are rather restive as to their position when they see Great Britain, Italy, and the United States entering into a military alliance of a somewhat similar character?

Mr. BALDWIN. I may say to my distinguished friend, the possibility of Italy engaging in a war of aggression at this particular stage of history to me is nothing short of ridiculous. If the Russians are going to be afraid of this alliance because Italy is in it and Italy might pursue a policy of aggression against Russia, I think they are merely raising up a ghost.

Mr. KEM. The Senator will agree, will he not, that there is necessarily a complication when we find Great Britain to be in a military alliance with Russia on the one hand and in an alliance with the United States and Italy, directed against Russia, on the other?

Mr. BALDWIN. The treaty between Great Britain and Russia is supposed to be a nonaggression treaty. It is supposed to be a treaty to promote peace. So is the Atlantic Pact a treaty to promote peace. They have a common objective. I do not see anything inconsistent in Great Britain's being a member of the pact with Russia and also being in the North Atlantic Pact. As a matter of fact, there is an express provision in the North Atlantic Pact which makes such a thing possible. There is a recognition on the part of those who negotiated the Atlantic Pact and those who signed it that some of the nations signatory to it might probably have some other commitments in some other directions. To avoid possible difficulty and misunderstanding which might arise from no mention of that possibility, such a provision has been included in the treaty.



It seems to me that if Great Britain binds herself by an agreement with Russia to preserve peace, and then binds herself by an agreement with us and other nations which are signatories to the pact to preserve peace, those two objectives are not entirely inconsistent.

Mr. KEM. Is it not true that the North Atlantic Pact is directed against Russia? Certainly the speech of the senior Senator from Michigan [Mr. VANDENBERG] would lead one to believe that, would it not?

Mr. BALDWIN. I would answer that question by saying that the attitude of Russia has made the North Atlantic Pact essential for security, protection, and peace within the Atlantic area. It is not a threat to Russia. It is a treaty which Russia, by her conduct, has made necessary for us to undertake for our own protection.

Mr. KEM. So it is fair to say that it is directed against Russia, is it not?

Mr. BALDWIN. I do not think so at all. As I said in my address, any nation which wants to take offense against this particular treaty must admit that it intends to be an aggressor, because the treaty has no application except against aggression. If any nation in the world wants to take offense, it can do so, because it must be thinking about or must have some intention of possible aggression.

Mr. KEM. Is not the Senator thinking of Russia as a possible aggressor?

Mr. BALDWIN. I shall answer that by saying that I think this pact is desirable and necessary because of the Russian attitude. It started off on the theory that if we could not get every nation in the United Nations to reach unanimity, then we could get certain members of it, a smaller group, perhaps, to reach unanimity. That is what is attempted by this pact.

Mr. KEM. The Senator does not find any inconsistency in the fact that we are asked to join in a military alliance with Great Britain and Italy against Russia, despite the fact that Great Britain is already in an alliance with Russia directed against Italy.

Mr. BALDWIN. No; I do not find anything inconsistent in that, because the main objective of both agreements, apparently, if they mean anything at all, if language expresses thoughts accurately and correctly, as we must assume this language does, is to enter into a treaty in an effort to preserve peace, in an effort to prevent aggression. Apparently Great Britain and Russia entered into their agreement for the same purpose. What their underlying motive may be, only experience can demonstrate.

Mr. KEM. Do not diplomats sometimes use language for the purpose of concealing thought?

Mr. BALDWIN. Yes. I like to swim, but merely because some persons are drowned when swimming it does not mean that I necessarily should remain away from the water. Because sometimes men break their agreements it does not mean that it is not desirable to have a contract in writing. The courts are filled with efforts to sue persons who

have broken agreements. I suspect that in years to come there will be treaties made and treaties broken. I do not think we can give up the whole thing, because in the past some treaties have been broken, and say they are a futile thing. In the past there have been some significant instances of treaties having been kept, and their effectiveness has been a great thing for the world. Unquestionably, one of the outstanding nations which have kept treaties in the past is the British Nation. In an effort to uphold a treaty she has gone to war when the peace was threatened. On Great Britain's record, I would have some hesitancy in saying that she is going to break this treaty simply because of an agreement with Russia.

Mr. KEM. Did not the people of the United States and the people of other countries, when we entered into a compact to create the United Nations, make it known that we and they intended to abandon the doctrine of the balance of power and the practice of forming military alliances? Did we not say to the world that we were entering into a new era? Did we not establish the United Nations with the intention of giving up those things which we had weighed in the balance and found wanting?

Mr. BALDWIN. That was our hope, and it still is our hope. Simply because we have been unable to achieve it on the broad basis which was first attempted does not mean that we shall not achieve it on a smaller basis.

Mr. KEM. The Senator has been very patient, and I imagine he is getting a little bit hungry by this time—

Mr. BALDWIN. The only thing I am thinking of is that perhaps other Members of the Senate would like to speak on this question.

Mr. KEM. I should like to ask the Senator only a few more questions. Does not the treaty of alliance between Great Britain and Russia go further than a mere military alliance directed against Germany and other powers?

Mr. BALDWIN. Does the Senator mean, directed against Russia?

Mr. KEM. No. I am speaking of the existing alliance between Great Britain and Russia, and I am asking the Senator if it does not go further than a military alliance directed against Germany and the powers which have been associated with her? I invite the Senator's particular attention to article 6 of the treaty—

Mr. NEELY. Mr. President, will the Senator yield for a point of order?

Mr. KEM. I yield.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. NEELY. Mr. President, eight Senators who have not spoken on the subject matter of this debate are waiting for an opportunity to be heard. If speakers continue to yield for more than very brief questions, they will thereby render it impossible for half those on the present waiting list to obtain recognition. The able Senator from Connecticut expected to speak for 15 minutes. He has been on the floor more than an hour and he will be kept on his feet until midnight if the present procedure is continued.

I beseech Senators who have spoken for hours on the pending question to refrain, as a matter of common courtesy, from consuming further time in debating their interruptions in order that, on this last day of unlimited debate, those who have not yet been recognized may have a chance briefly to state their reasons for supporting or opposing the ratification of the very important North Atlantic Pact. If this suggestion is not accepted, I shall, during the rest of the day, make a point of order against a Senator's yielding to anyone for any purpose other than that of asking a question.

Mr. KEM. Mr. President, I should like to say to the Senator from West Virginia that he is unduly concerned. I have no intention of continuing my interrogatories very much further. I may also say to him that I do not know to whom he is referring when he speaks of the Senators who have spoken for hours on this subject. I myself spoke on the day before yesterday for approximately 20 minutes. As I recall, I have not raised my voice otherwise in this debate, except perhaps to ask a few questions.

Mr. NEELY. Mr. President, I was thinking particularly of the Senator's distinguished colleague from Missouri [Mr. DONNELLY], who was asking questions when I came into the Chamber. I happen to know that 2 or 3 days ago he discussed the pending question for more than 3 hours. He spoke with his usual ability and sincerity. I do not mean to be critical of him or any other Senator. I am simply seeking sufficient forbearance from those who have been heard at length to enable a number of Senators who have long been silent to impress a few of their illuminating thoughts upon the imperishable pages of the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The Chair will rule out of order further discussion of this matter. The Chair is quite sympathetic with the request made by the Senator from West Virginia, and, after this argument, the Chair will give notice that the strict rules of parliamentary procedure shall prevail in the remaining discussion, so long as the present occupant of the chair shall preside.

Mr. BALDWIN. Mr. President, I had a prepared address which required approximately 15 minutes. I started to speak, as I recall, at approximately 20 minutes of 1. It is now 2 o'clock. So I have occupied the floor an hour and a half. That does not seem to me to be an unusually long time. On prior occasions I have asked one or two questions, and I assumed the Senator would have an opportunity to address himself to this subject. I was scheduled to speak yesterday, and my address was prepared. It was unfortunate that we had to adjourn immediately after meeting. There certainly was no effort on my part, or on the part of either one of the Senators from Missouri, unnecessarily to prolong the debate. I should like to submit that I have noted that on each occasion when the colloquy was continued it was inspired by what seemed to me to be a perfectly proper question.

I can understand the apprehension of my distinguished friend from West



Virginia, but I have heard him make some lengthy speeches on this floor, incidentally some very good and entertaining ones. I shall bring my remarks to an end just as quickly as I can. If a Senator asks me a question, I feel in duty bound to attempt to answer it.

Mr. NEELY. Mr. President—

The PRESIDING OFFICER. The Chair has ruled out of order any further discussion. The Chair desires to make it clear that he is not criticizing any Senator, but he has been handed by the Minority Leader a list of eight additional Senators, one of whom, by the way, is the Senator from West Virginia, who have expressed a desire to be heard on the pending matter. Therefore, without criticism of any Senator, the Chair, so long as the present occupant continues to preside, will strictly enforce the rule, upon the conclusion of the address of the Senator from Connecticut.

Mr. BALDWIN. The Chair is absolutely correct.

Mr. KEM. Mr. President, will the Senator from Connecticut yield?

Mr. BALDWIN. I yield for a question.

Mr. KEM. I should like to ask the Senator if article 6 of the treaty between Great Britain and Russia does not contain this provision:

The High Contracting Parties agree to render one another all possible economic assistance after the war.

Mr. BALDWIN. It does contain that provision. I think it should appear in the RECORD that that treaty was concluded on the 26th day of May 1942, when Great Britain was having an extremely difficult time to protect and defend herself.

Mr. KEM. Will the Senator tell us the length of time contemplated by the treaty?

Mr. BALDWIN. That I do not know. I have not examined it as to that detail.

Mr. KEM. Is not this the provision in that regard:

Part II of the present Treaty shall remain in force for a period of 20 years. Thereafter, unless 12 months' notice has been given by either party to terminate the treaty at the end of the said period of 20 years, it shall continue in force until 12 months after either high contracting party shall have given notice to the other in writing of his intention to terminate it.

Mr. BALDWIN. That is the provision of the treaty.

Mr. KEM. Then I should like to ask the Senator whether he will be kind enough to examine the address of the Right Honorable Ernest Bevin, Secretary of State for Foreign Affairs of the United Kingdom, on April 4, 1949, at the time of the execution of the North Atlantic Treaty, and with particular reference to the portion to which I now invite his attention. Will the Senator be kind enough to read that into the RECORD?

Mr. BALDWIN. It reads:

Although this pact is called the Atlantic Pact and is defined as covering the Atlantic area, I must repeat what I stated recently in the British House of Commons, that it does not minimize either our interest in or determination to support others not included

in this pact, with whom we have had long years of friendship and alliances.

Let me say to the Senator from Missouri, in answer to his question, that it seems to me that there is an express provision in the pact itself which admits of this particular language and this particular thought, because, of necessity, when these nations sign this pact, they must recognize such obligations as they were under by prior agreements with other nations, and this is an express provision to take care of that.

Mr. KEM. The Senator interprets that language to mean that Mr. Bevin recognized that?

Mr. BALDWIN. Yes, and I think he should. In other words, that simply says, to me, that the signing of the Atlantic Pact does not ipso facto terminate every other agreement we might have with any other nation in the world.

Mr. KEM. I thank the Senator from Connecticut for his courtesy, and the Senator from West Virginia for his forbearance.

Mr. HUMPHREY obtained the floor.

Mr. DULLES. Mr. President, will the Senator yield for an insertion in the RECORD?

Mr. HUMPHREY. I shall be glad to yield for the purpose of an insertion, so long as I do not lose my right to the floor.

Mr. DULLES. Mr. President, I have prepared a brief memorandum dealing with the question of the relationship between the North Atlantic Treaty and the treaties which were made by the United Kingdom and by France with the Soviet Union. I ask unanimous consent to have the memorandum inserted in the RECORD at this point.

The PRESIDING OFFICER. As a part of the Senator's remarks?

Mr. DULLES. Yes.

The PRESIDING OFFICER. Without objection, consent is granted.

The memorandum is as follows:

Some of the opponents of the North Atlantic Treaty call our attention to the treaties of alliance which Great Britain and France made with the Soviet Union during the course of the war against Germany. These treaties provided for joint prosecution of the war, for cooperation with others for peace, and they provided also that the parties "will not conclude any alliance and not take part in any coalition" directed against the other.

It is argued that this last clause means that Britain and France are now precluded from any collective action to resist armed attack by Russia. If they themselves are attacked, each, it is contended, must defend alone, because to have allies would involve a "coalition" against Russia. If others are attacked, they must sit idly by for, to join in collective defense, would involve a "coalition."

It should not easily be assumed that Great Britain and France have bound themselves to results both so immoral and suicidal. There is, in fact, no warrant for these conclusions.

The argument that Britain and France are now precluded from participating in organized self-defense against Russia ignores the fact that the right of individual and collective self-defense is an inherent right. It is not a right that needs to be expressly reserved, it is not a right that can be waived by implication, and it is doubtful if it can be waived at all.

That is the position that the United States has heretofore taken. When we negotiated the Kellogg-Briand Pact for the renunciation of war as an instrument of national policy, we did not think it necessary to write into the text of the pact a reservation of the right to fight in self-defense if attacked. Our view was that that inherent right of self-defense was not waived by the general and all-inclusive renunciation of the covenant. When we waged war against Japan, Germany, and Italy we were textually violating the Kellogg-Briand Pact. But we were exercising an inherent right of self-defense that in our opinion the pact had not waived.

If the United States felt it unnecessary, in the Kellogg-Briand Pact, to spell out the inherent right of self-defense, it was hardly to be expected that such a reservation, with its public implication of distrust, would have been spelled out in treaties made by allies who at the time were fighting together desperately a war for survival. That would have been highly inappropriate and it was unnecessary because the right, being inherent, did not need to be spelled out.

When it came to drawing up the United Nations Charter, the United States delegation thought it useful to have all the parties recognize by the Charter that individual and collective self-defense was an inherent right, not waived by such unqualified language as the provisions of article 2 (4) of the Charter, requiring all the members to "refrain \* \* \* from the threat or use of force." The recognition of the inherent nature of the right of individual and collective self-defense was contained in article 51 of the Charter.

The Soviet Union, by becoming a party to the Charter, has unreservedly accepted the view that there is an inherent right of collective self-defense, and it has acted accordingly. It has itself made a network of so-called "defensive" pacts which would certainly involve a "coalition" against Britain or France should either attack Russia or one of its satellites. Obviously, it does not consider that such collective defense arrangements violate its treaty with England or France.

In March of last year both the United Kingdom and France joined with Belgium, the Netherlands, and Luxemburg in a treaty for collective self-defense under article 51 of the Charter of the United Nations. They bound themselves to give "all the military and other aid and assistance in their power" in the event that, for example, the Soviet Union should attack the Netherlands or Belgium. I am informed by the Department of State that, so far as it is aware, the Soviet Union has never suggested that that arrangement violated the war treaties of Great Britain or France with the Soviet Union.

The Soviet Union has taken the same position as regards the North Atlantic Treaty. It does not challenge the right of Britain and France to enter into collective arrangements that are defensive. It does assert—indeed, it reasserted yesterday—that the North Atlantic Pact is "a military grouping of states which is of an aggressive nature and directed against the Soviet Union and countries of the Peoples' Democracy."

The issue is thus very simple. If the North Atlantic Treaty is, as it purports to be, an arrangement for collective self-defense, then it is not inconsistent with the French and British treaties. Even the Soviet Union does not make that claim. Only if the North Atlantic Treaty is an "aggressive" or "offensive" arrangement would it violate those treaties, and in that event it would equally violate the Charter of the United Nations and the obligations of the United States under it.

The argument against the North Atlantic Treaty, based upon the British and French



treaties with Russia, is not a new and independent argument. It is the old argument, dressed in new clothes, that the North Atlantic Treaty is not in reality a defense arrangement made in pursuance of the inherent right of collective self-defense.

It should also be noted that if the British and French treaties had, in fact, bound the signatories to neutrality in the event that one of them engaged in armed aggression, that undertaking would have been abrogated by the United Nations Charter. The basic theory of that Charter is that there is no more neutrality as against aggression, and that the members have the duty, and under certain circumstances, the obligation, to act to resist aggression.

That Charter could not work if three of the five so-called great powers had a private arrangement among themselves to stay neutral so that one of them could more safely attack others. Such an arrangement would be violative of the international morality and public policy established by the United Nations Charter and it would have been abrogated by article 103 of the Charter which provides that "In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail."

The argument that the United Kingdom and France are disqualified by wartime treaties with Russia from participating in collective self-defense is so bereft of merit that it illustrates the hard plight of those who feel they must conjure up arguments against the North Atlantic Treaty.

**Mr. HUMPHREY.** Mr. President, I do not intend to take a great deal of the time of the Senate. However, I do wish to indicate my support of the North Atlantic Treaty. I wish to join with my distinguished colleagues in this body who have already pledged their unqualified support of the North Atlantic Treaty. A careful examination of its provisions has convinced me that this treaty, now awaiting ratification, clearly falls within the framework of the Charter of the United Nations. Equally important is the fact that if its provisions are carried out in good faith by all concerned this pact can indeed be the most important force in modern history on behalf of peace and justice for all the peoples of the world within the framework of the United Nations.

The heart of the treaty is article 5, which is based upon the right of individual or collective self-defense, as recognized under article 51 of the Charter of the United Nations. Article 5 of the pact further provides that any measure so taken shall immediately be reported to the Security Council, and that such measures shall be terminated "when the Security Council has taken the measures necessary to restore and maintain international peace and security."

Thus, the signatories of the Atlantic Pact exercise the right of collective self-defense under the Charter of the United Nations; and in harmony with that Charter, they will terminate these measures of self-defense when the Security Council takes over and does the job.

Mr. President, I submit that not only is this treaty within the framework of the United Nations Charter, but it operates to give that organization the strength and support which it so sorely needs at the present time.

Article 7 is a further recognition of the priority of the United Nations by providing that the treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of United Nations members under the Charter, or the primary responsibility of the Security Council in the maintenance of international peace and security.

In view of the foregoing, no peaceful nation need have any fear with respect to either the intentions of the signatories of the pact or its effect upon the United Nations. This treaty is calculated to add stability to a portion of the world; and we must never forget that in a world in which all are so gravely affected by events which occur in any particular part thereof, any measures which tend to and actually do increase the stability in one part of the world, should add to the stability of the whole.

We are all aware, Mr. President, that the effect of any engagement among nations is determined as much by the manner in which it is carried out, as by the wording of the agreement. The drafters of the pact have brought it clearly within the framework of the Charter of the United Nations. Whether or not, in actual operation, it will strengthen or weaken the United Nations, depends largely upon the manner in which it is carried out. It would be impossible for the drafters of the language of the pact to foresee every contingency which may arise. Its future is dependent largely upon the good faith of its signatories, and above all, upon the intentions and actions of the United States.

Thus, it is of the utmost importance that the signatories to the pact do not consider themselves as members of an exclusive group, honor-bound not to criticize publicly actions of other signatories which contravene either the letter or the spirit of the Charter of the United Nations. Such action would not only result in a failure of the pact to strengthen the United Nations, but might well tend so to weaken that organization as seriously to impair its effectiveness.

Therefore, I take it that it is the intention of our Government—and I have come to this conclusion after a careful reading of the report of the Foreign Relations Committee—as well as that of the other signatories, to be ever watchful that the United Nations obligations of all concerned are faithfully fulfilled at all times. Thus, Mr. President, I feel justified in assuming that our Government will be equally severe with respect to signatories and nonsignatories of the pact who follow a policy inimical to the United Nations. In this connection, I should like to emphasize that our Government must be ever watchful to prevent the birth of a system of consultation which would rival the United Nations Security Council or the Assembly. Article 7 of the pact reassures all members of the United Nations that the United Nations comes first in the international system and that the Security Council has the primary responsibility for the maintenance of international peace and security.

Mr. President, twice in our lifetime American men and American women have fought in western Europe in order

to safeguard the independence of those nations whose institutions and whose citizens played such an important role in the founding of our Republic. We emerged victoriously from battle only to see our dream of a just and peaceful world shattered after World War I because of our failure to unite in a practical policy designed to achieve those of a just and enduring peace. I refer Mr. President, to our failure to join the League of Nations. I refer to our failure to join with France and England in a treaty after the end of World War I, a treaty which was offered, but which we turned aside. Today, after World War II, the achievement of a free world and a just and enduring peace hangs in the balance.

We cannot afford to risk another world conflagration as a result of our default in failing to provide a positive policy and the necessary leadership and initiative by which to effectuate that policy. History has taught us the bitter lesson that a policy of containment alone is sheer folly in the modern world. The policy of containment is at best a stop-gap temporary measure which has afforded us time to muster our forces and properly to appraise the troubled world situation in which we find ourselves. Containment is not enough. Containment is defensive. The time has arrived for the diplomacy of democracy to move on to the offensive. The principles of democracy are universal; they apply to all people. The moral obligations of the Charter of the United Nations compel us to recognize the oneness of humanity and the living fact of one world. We cannot write off the liberties of those who have been victimized by the enslavement of totalitarianism. Merely to contain the aggressive power and the imperialistic ambitions of those who would engulf the world with their totalitarian ideology is to default on our responsibilities for achieving the goal of a world based upon law and order, and the realization of a just and enduring peace. Yes, it is time that the foreign policy of this Nation be geared to the achievement of respect for human rights and international order as required by the obligation of the Charter of the United Nations. We have had the beginnings of such a policy in the Voice of America, and the United Nations International Children's Emergency Fund, in the International Refugee Organization and the other United Nations organizations. These efforts have proved their effectiveness. The expansion and development of this positive democratic world policy is underwritten and guarded by the ratification of the North Atlantic Pact.

In other words, Mr. President, before the foreign policy of this Nation, or before the objectives and the ideals of the policy of the United Nations would be effectuated we must be sure of our ground, we must be sure in the realization that our strength is properly organized so as to assure our defense against any potential aggressor or any force that would stop the march of the humanitarian principles which are embodied in the Charter of the United Nations, and which are the foundation of



the foreign policy of the United States. A positive foreign policy that places us on the offensive is only possible when we are sure of our ground and secure in the knowledge of overwhelming power and defensive strength. The American spirit and tradition of progress and growth of freedom and opportunity compel us to move forward from a defensive policy of containment into the diplomatic offensive of democratic, humanitarian emancipation.

I make this reference to containment, because I am afraid that somehow or other we are getting ourselves into the frame of mind that we can write off a certain section of the world as belonging under the sphere of influence of someone else. Frankly, Mr. President, that means two worlds. It is my humble opinion, though it may be a very idealistic opinion, that in the great struggle which is now going on in the postwar era we have to resolve that the freedom of the people of Poland is important, the freedom of the people of Czechoslovakia is important, the freedom of the peoples of the Balkans and of Central Europe is important. The freedom of all people everywhere is essential to the peace of the world. Yes, this is a vital part of the moral obligations of our commitments to the Charter of the United Nations and to our belief, our sincere belief, in democratic principles.

Mr. President, I look upon the North Atlantic Pact as one of the steps that gives us an opportunity to be sure of our strength, confident in our power to be able to carry forward by these peacetime means a type of democratic diplomatic offensive which I believe we long ago well ought to have undertaken. As we enter into that kind of a diplomatic offensive we will find that we are doing great good for the cause of an enduring peace.

We can no longer afford to have our foreign policy made in Moscow. We must take affirmative action designed to insure collective security based upon peace and justice. We can no longer afford to have a foreign policy which has more or less the aspects of a fire department merely putting out the conflagration. We must take affirmative action designed to assure collective security based upon peace and justice. We must, by our own actions, our own example, our own policies here and abroad, contribute to the formulation of a world order that is not subject to the outbursts of violence, war, and depression. We must seek the loyalty of people the world over to the eternal truths of the democratic faith. We must reassure those who already have accepted democratic principles that we join with them in their defense and their future.

Mr. President, I may say, digressing for a moment, that during the 1930's some of the people in Europe who are today most critical of this type of an alliance, or pact, were the very people who were proposing a similar type of alliance or pact against the aggressive forces, the totalitarian forces, of nazism. They were the very same people. I recall that in the 1930's the distinguished represent-

ative of the Soviets in this country, Maxim Litvinov, was saying to the world, "What we need is collective security." That was collective security against the menace of the totalitarian, barbarian philosophy of nazism. At least in my mind, nazism and communism, in their materialistic and totalitarian aspects, are twin brothers.

Mr. TAYLOR. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. TAYLOR. The Senator says that they were asking for alliances at that time. However, it is true, is it not, that there was no United Nations at that time?

Mr. HUMPHREY. It is true that there was a League of Nations at that time. It is to the eternal discredit of this country that we were not a part of the League of Nations, but there was the League of Nations, and the League of Nations proved its ineffectiveness, because the major power of the world was outside its scope. What I think is important to recognize is that as early as 1933, 1934, and shortly after 1937, the political leaders of the world realized that the only way there could be peace against any type of aggressive power, wherever that power might be, was for those who wanted to live in peace to be joined together by bonds and commitments, so as to have a clear understanding in the minds of the people of the world that freedom-loving people would not be pushed around, but would stand together in any crisis. I believe it has been proved quite clearly that one of the reasons that Hitler was able to accomplish some of his evil ends was that there was disunity in the ranks of the people who wanted an opportunity to grow and develop as free people. They tried to stand one by one, alone, feeling that somehow or other, without antagonizing an aggressive, imperialistic power, they could bring themselves into favor and be spared. Surely we have not forgotten those lessons.

We can no longer afford to wait until the enemies of world peace take action. The folly of such a policy was made abundantly clear by the actions of the Nazis preceding World War II.

Throughout our entire history we have been among the leading isolationist nations of the world, due partly to our geographic and economic position. Within the past 8 years we have undergone a historical transformation which is of the greatest significance. It began with the Lend-Lease Act in 1941, passed with strong congressional approval, and was followed shortly thereafter by the announcement of the Atlantic Charter. In 1945 we arrived at the culmination of the first part of our transformation when we became a signatory to the Charter of the United Nations, together with 46 other nations.

The events of the past few years have demonstrated beyond any question that the security of the United States is dependent upon the security of all members of the United Nations. A conflagration in any one part of the world can, and probably would, rapidly embroil us. We can no longer turn our backs. Our adherence to the principles of the United Nations Charter as well as to the Atlantic

Pact is not based upon any do-good policy. It is not a matter of being a good Samaritan. It is based upon cold fact and the records of history, which show that our whole security is vitally bound up in the security of other nations in the world, particularly the nations of western Europe who are signatories to the North Atlantic Treaty. The well-being and the very existence of every American—man, woman, and child—is dependent upon the existence of peace and security throughout the world. To be sure, there are those who feel that all we should do is to build our own defenses.

I submit that the nations in the North Atlantic Treaty represent approximately 300,000,000 people with a common determination, common purposes, and common objectives. Surely they stand a much better chance to live and grow and maintain their independence under this treaty than would individual nations standing individually against the will and power of a potential aggressor.

That, Mr. President, is the basic philosophy which underlies the European recovery program and which finds its next step in the North Atlantic Treaty.

Because of our great economic and physical strength, we have fallen heir to world leadership. That leadership is a sacred trust which we cannot afford to ignore. It is not a matter of whether we like it or not. The facts of history place us in a position of world leadership. Since the termination of World War II we have assumed a tremendous burden, but if by so doing, we are able to assist in the maintenance of world peace, it is certainly worth while.

Those who denounce the Atlantic Pact on the ground that it may lead us into war are ignoring a basic historical fact—that if any of the signatories to the pact were attacked today, we would be forced to assist that nation—not because we are particularly interested in the welfare of that nation or any other nation alone, but for the selfish and practical reason that our own security and welfare would be at stake.

Mr. President, the United Nations is the cornerstone of American foreign policy. I am one of those who believe that the United Nations has done remarkably well in its task of maintaining world peace and security by taking steps to remove the causes of tension and unrest. The United Nations is predicated on the proposition that there will be free and independent nations. The North Atlantic Pact is designed to protect the freedom and independence of nations. The United Nations would be a meaningless instrumentality if it were only a respectable facade, covering, or cloak for a great power to make stooges or satellites of the other nations. During its short existence the United Nations has prevented large-scale war in many trouble spots of the world. After the Atlantic Pact is ratified, I hope to take the time of this body at some distant date to review the work accomplished by the United Nations since its inception.

I support the Atlantic Pact because I believe that legally and morally it is



in harmony with the obligations of the United Nations Charter and because it serves as notice to the world that the Government of the United States will be ever vigilant to lend its strength and support to the end that all freedom-loving nations will be able to live together in a peaceful world in accordance with the principles of the Charter of the United Nations.

As one of that group of Senators who considers the United Nations to be a vital part of American foreign policy, I shall be ever vigilant in cooperating with the Executive or criticizing the Executive to the end that the foreign policy of this country wholeheartedly support the United Nations. I shall vote for ratification and support the North Atlantic Pact.

Mr. TAYLOR. Mr. President, with reference to what has just been said by the distinguished Senator from Minnesota, it is a little late to criticize after the horse is out of the barn, so to speak.

It is my intention to try to demonstrate that the formulation of our foreign policy and the manner of its presentation to the United States Senate has not been forthright, open, and aboveboard. In fact, if I am any judge, it has been secretive and devious to such an extent as to border on being downright dishonest.

Frankly, I am going to make an emotional appeal to the Senate. More particularly, I am going to appeal to a specific emotion—indeed, one that is generally not thought of as being a most worthy emotion. I am going to appeal to the jealousy of the Senate. In some circumstances jealousy can be a very unworthy emotion; probably it is generally thought of as such. But there are times when jealousy is very much in order. The Scriptures tell us of a jealous God—a God jealous of his prerogatives and his domain. I think that it is very necessary that the Senate should be jealous of its rights and prerogatives which are bestowed upon us by the Constitution. We should not relinquish them without the most profound consideration, if at all. We certainly should stand up and fight if it becomes apparent that our prerogatives are being circumscribed or diminished or whittled away in a piecemeal manner calculated not to arouse our suspicions or resentment until the deed is accomplished.

I feel that it is the right of the Senate to legislate in an atmosphere free from alarms artificially created. I submit that the Senate has been subjected to such dangerous and unfair tactics as artificially created crises calculated to affect the outcome of legislation before the Senate at a given moment. It is my argument that the Senate is entitled to a straightforward exposition by the executive department and the Senate leaders relative to any piece of legislation or any treaty or agreement presented to the Senate for its consideration. I do not believe that we have always been accorded the forthright presentation of the facts and given the information necessary if we are to legislate intelligently. I believe this to be especially and increasingly true of recent years. I do not believe the Senate should be imposed upon by having matters presented to it, particularly treaties

for its ratification, in such manner and under such circumstances that we are really precluded from exercising our honest judgment, but are placed under great pressure to ratify, without real freedom of choice, what should be very controversial propositions, lest our refusal to pass the legislation or give our consent and advice to a treaty might embarrass our policy makers and the Nation. In other words, Mr. President, I feel that we should call a halt here and now to the practice of presenting grave and important matters to the Senate in the nature of a fait accompli. I call upon the Senate to bring an end here and now to these evil and undemocratic practices which are depriving the Senate of its right to function as a truly deliberative body, which in my judgment it was most certainly intended to be according to the will of our founding fathers as set forth in the Constitution.

Mr. President, how can the Senate have confidence, how can the American people have any confidence in those who formulate our foreign policy when one of our most able and high-placed experts on foreign affairs comes before the Senate and as a newly appointed Member of this body, frankly tells us that during the course of the recent Paris conference, serious consideration was given to the question of whether or not our representatives should refuse to negotiate in good faith with the representatives of the other great world power, even though the most stupid person realizes that world peace—and possibly the question of whether mankind is to survive on this earth—depends upon whether these two great powers can find some basis of agreement. Here are the words of the junior Senator from New York:

At Paris last month there was some discussion as to whether to accept at all the Soviet proffered truce and to resume, even on a tentative basis, Four Power consultations. The reason was that some feared any relaxation of east-west tension would bring a corresponding relaxation on the part of the American people, and therefore they needed to be kept artificially alarmed.

While the Senator from New York states that it was finally decided to negotiate, and to depend upon the good judgment of the American people to keep themselves properly alarmed and alerted, nevertheless I am convinced that this business of withholding the truth and artificially creating hysteria and hatred has been indulged in in the past. Remember, Mr. President, when this deceit is practiced, it is not only the common people of America who are being fooled; it is also the Senate of the United States. Most of us are not members of the Foreign Relations Committee. The only sources of information we have are those available to the general public—stories and editorials in magazines and the press, which are generally bitterly anti-Russian. I think it would be wise, Mr. President, and advisable, if the party or parties who advanced this totalitarian and undemocratic idea at Paris should be named and relieved of further responsibility in connection with the formulation or implementation of our foreign policy. Unless and until that is done, I do not see how

any American citizen or any Member of this body can have any confidence that he is not being deceived and hoaxed with cruel crises and misleading propaganda synthetically created and propagated in the insidious and wicked fashion of Joseph Goebbels.

Mr. President, we shall now explore the genesis and origin, the given reasons and the stated excuses of and for the treaty we now have before us.

In his speech presenting the North Atlantic Pact to the Senate, the distinguished former chairman of the Foreign Relations Committee, the senior Senator from Michigan, had this to say:

When the Senate, by a vote of 64 to 4 on June 11, 1948, adopted Senate Resolution 239, I believe it proposed the wisest and the safest peace procedures available to us and to western civilization.

It advised the President of the United States to strive toward strengthening the sinews of the United Nations in behalf of the collective peace and fellowship to which we rededicated our hearts and hopes. In particular, we advised him to seek regional and collective arrangements and to associate with them, in behalf of individual and collective self-defense through self-help and mutual aid against armed aggression.

The President has acted upon the Senate's all but unanimous advice. He has sent us precisely that for which we asked—and in the tailoring of which we have had a constant hand. Indeed I would not know what it was I was asking for on that historic day last June if this pact is not it. \* \* \*

(CONGRESSIONAL RECORD, July 6, 1949, p. 8897.)

Here, Mr. President, the distinguished, able, very eloquent, and persuasive Senator from Michigan tells us that this pact is exactly what we asked for. He says we asked for it in Senate Resolution 239. So, Mr. President, let us go back to Senate Resolution 239 and see where it came from and what were its beginnings. Let us refer to debate in the Senate on that resolution and see what the then chairman of the Foreign Relations Committee, the same senior Senator from Michigan, had to say about the resolution which he contends is the parent of the treaty now before us. Here is what he had to say at that time:

What are the necessities which this resolution is undertaking to answer? The first necessity is this: Recognizing the indispensability of the United Nations as the key to collective security, many Senators have earnestly joined in numerous Senate resolutions proposing new United Nations patterns for a surer collective warrant of just and dependable peace. It is to their everlasting credit that they have thus sought to stimulate more effective relationships in pursuit of dependable peace for freemen in a free world.

The Foreign Relations Committee has been unwilling to bury these suggestions from so many of our Senators in a "deep freeze." It has sought, instead, a simple, forthright declaration to bespeak the essence of all these varying views and to find a common denominator which can hopefully represent the united opinion and recommendation of the Senate. We believe the pending resolution is today's best answer to this need.

The second necessity which we have confronted in this connection, Mr. President, is this: Up and down this peace-loving, peace-loving land, which harbors no thought of conquest against any other power on earth, our people have looked with singular anxiety upon the often unhappy vicissitudes of the scarred United Nations, too often stranded



on the veto rocks. They have groped for light with a sense of frustration amid a confusion of well-meaning advice. It is a tribute to their instinct that the infirmities of the United Nations have served only to intensify their zeal in its behalf. It is a tribute to their wisdom that they sense its fundamental utility as the only base upon which to build the hopes by which we live. They are entitled to the practical encouragement which this resolution provides. (CONGRESSIONAL RECORD, June 11, 1948, p. 7791.)

Here we have it, Mr. President. The American people love the United Nations. They want it to succeed. They are to be commended for their wisdom in supporting the UN, and so forth.

That feeling on the part of the people that the UN was our best hope of peace must have percolated up to their Senators because, on June 11, 1948, in discussing Senate Resolution 239, the able Senator from Michigan tells us that that resolution was the result of the desire on the part of the Foreign Relations Committee to take heed of the fact that "many Senators have earnestly joined in numerous Senate resolutions proposing new United Nations patterns for a surer collective warrant of just and dependable peace."

So we have to go back, Mr. President, and examine the resolutions which the distinguished Senator from Michigan assures us were the foundation and beginning of Senate Resolution 239.

As early as the fall of 1945, I became convinced of the inadequacy of the United Nations to cope with the problems of an atomic world, and on October 24, 1945, I introduced Senate Resolution 183 asking the Congress to join in calling upon the President to strengthen the United Nations to the point where it could be transformed into a federal world government. I ask to have a copy of that resolution printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas the atomic bomb and other new and terrible instruments of warfare make it possible that most of mankind and civilization itself may be destroyed should the world become involved in another war; and

Whereas even before the soldiers of this war have returned to their homes another race between nations is already under way to train ever greater armies and to produce more scientifically diabolical weapons in the largest possible numbers; and

Whereas we believe that not only the people of the United States but an overwhelming majority of all people in all countries are sickened by wars, senseless slaughter, and the burdens of great military establishments and crave only peace: Now, therefore, be it

*Resolved*, That the Senate of the United States hereby calls upon the delegates of the United States of America to the United Nations Organization prayerfully and earnestly to redouble their efforts to secure world-wide agreement to—

Limit and reduce immediately and eventually to abolish armaments, outlaw military training and conscription except for such police forces as the Security Council of the United Nations Organization may deem necessary to preserve the peace of the world; outlaw the manufacture or use of atomic bombs and all other atomic weapons for any purpose whatsoever; outlaw the manufacture or use of other weapons and instruments of

war of every kind and nature, except for such weapons as the Security Council of the United Nations Organization may deem necessary to preserve the peace of the world; provide for an international police force capable of enforcing these agreements; be it further.

*Resolved*, That because the creation of an international police force requires adequate international civil authority for its control and mindful of the long and continued peaceful relations between the 48 States of our own Republic and being hopeful that similar principles of government if applied to all men will secure to the world the greatest possible opportunity for everlasting peace, we therefore urge that every possible effort of our delegates to the United Nations Organization be directed toward the ultimate goal of establishing a world republic based upon democratic principles and universal suffrage regardless of race, color, or creed; and be it further

*Resolved*, That the President of the United States be requested to use the great powers and influence of his high office toward achieving the purposes of this resolution by instructing the delegates of the United States to the United Nations Organization to propose at the First Assembly of that Organization the creation of a commission to prepare the drafts of the requisite international conventions, agreements, and treaties for the establishment of the world republic proposed by this resolution.

Mr. TAYLOR. I shall not read the resolution, but I should like to say that there was nothing in that resolution which contemplated any regional military alliances or agreements and it certainly did not contemplate starting an armament race. The emphasis was strictly on strengthening the United Nations and promoting disarmament by creating a police force for that body in order that the nations of the world might have the necessary security to permit them to disarm. No action was taken on this resolution.

I may say in passing, Mr. President, that in answer to innumerable requests from individuals and organizations, I mailed out 180,000 copies of Senate Resolution 183, largely at my own expense. I believe I had requests from every State in the Union for copies of that resolution. I mention this to demonstrate the widespread interest in strengthening the United Nations into a genuine federal world government.

In the spring of 1947 I determined to submit another somewhat modified resolution. Certain people who were interested, people representing organizations interested in strengthening the United Nations, urged that I postpone introduction of my resolution because they felt confident they could get other Senators to act as cosponsors. The matter dragged on until the month of July was upon us.

In the meantime a number of resolutions were introduced by various Senators and large groups of Senators in some instances, all seeking to strengthen the United Nations. Not one of them calls for any military alliances, mutual-defense agreements, or building up armaments, except perhaps for a United Nations police force.

On March 21, 1947, the Senator from Arkansas [Mr. FULBRIGHT], for himself and the Senator from Utah [Mr.

THOMAS], submitted a very brief resolution as follows:

#### Senate Concurrent Resolution 10

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress favors the creation of a United States of Europe, within the framework of the United Nations (CONGRESSIONAL RECORD, March 21, 1947, p. 2347).

Certainly, Mr. President, that resolution was straightforward and right to the point, and it does not say anything about either defensive or offensive alliances, nor does it mention armaments.

On March 31, 1947, the Senator from Wisconsin [Mr. WILEY] submitted a similar resolution. The Wiley resolution is almost as brief as the Fulbright resolution, and reads as follows:

#### Senate Concurrent Resolution 12

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress favors the creation of a United Democratic States of Europe, within the framework of the United Nations, to consist of nations which respect the political, economical, social, and religious liberties of their respective citizens (CONGRESSIONAL RECORD, March 31, 1947, p. 2848).

In his statement accompanying Senate Concurrent Resolution 12, the Senator from Wisconsin [Mr. WILEY] did make one reference to armaments. He said "They," meaning the countries of Europe, which he hoped to see united, "could formulate military plans against any potential aggressor." But the gentleman from Wisconsin did not suggest that we enter into such an alliance or that we arm these nations.

Sometime in June of 1947 my friends informed me they might get more sponsors if I would agree to certain modifications, and they also thought it would be helpful if some Senator with greater seniority were to be the chief sponsor. I agreed to that, as I was far more interested in seeing that some action was taken than I was in seeking personal glory. The original resolution was modified and was finally submitted on July 9, 1947, with the Senator from Michigan [Mr. FERGUSON] as the chief sponsor, the cosponsors being the Senator from New Hampshire [Mr. TOBEY], the Senator from Connecticut [Mr. BALDWIN], the Senator from Vermont [Mr. FLANDERS], the Senator from Washington [Mr. CAIN], the Senator from Virginia [Mr. BYRD], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Connecticut [Mr. McMAHON], the Senator from Alabama [Mr. SPARKMAN], and myself. This resolution was very brief. I would like to read it at this point:

#### Senate Concurrent Resolution 23

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress of the United States that permanent world peace can and will be achieved through the United Nations and to that purpose we believe that action should be taken under the provisions of the Charter of the United Nations to propose and adopt amendments and revisions that will strengthen the United Nations as an instrument to prevent war and maintain world peace.



Certainly, Mr. President, no one could honestly claim that this resolution calls for any military alliance such as the one we are now contemplating. In fact it does not call for any alliance of any kind. It very clearly sets forth that its sponsors believe in the United Nations and want to strengthen it.

While I was one of the sponsors of this resolution, it had been so modified and watered down that I was somewhat disillusioned and felt that the resolution was quite inadequate. Therefore, I submitted Senate Concurrent Resolution 24 later that same day. Joining me in that resolution were the Senator from New Mexico [Mr. CHAVEZ], the Senator from South Carolina [Mr. JOHNSTON], the Senator from New Hampshire [Mr. TOBEY], the Senator from Florida [Mr. PEPPER], and the Senator from Montana [Mr. MURRAY]. The same resolution was introduced in the House by 10 Representatives. This resolution was also quite brief and I should like to read it at this point:

**Senate Concurrent Resolution 24**

Whereas all the world deeply desires durable peace; and

Whereas the United Nations was created as an instrument to preserve the peace of the world; and

Whereas experience increasingly indicates that the United Nations in its present structure is not fully adequate for this task; and

Whereas the United Nations Charter in its article 109 provides a procedure whereby the Charter of the United Nations may be revised and amended: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President of the United States should immediately take the initiative in calling a general conference of the United Nations pursuant to article 109 for the purpose of making the United Nations capable of enacting, interpreting, and enforcing world law to prevent war.*

Mr. President, certainly neither of these resolutions suggested any action outside the United Nations that might weaken the United Nations. They both very specifically asked that measures be taken to strengthen the United Nations.

The next resolution dealing with this general question was introduced on March 19, 1948, by the junior Senator from Vermont [Mr. FLANDERS]. That resolution reads as follows:

**Senate Concurrent Resolution 47**

*Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to instruct the United States representative at the seat of the United Nations and representative in the Security Council to seek, either through request of the Security Council or of a majority of the members of the United Nations, to convene the General Assembly of the United Nations in order that the General Assembly may consider in accordance with the Charter of the United Nations the actions taken by the United States and the so-called western nations on the one hand and the Union of Soviet Socialist Republics and the governments of its so-called satellites on the other, and the effect of these actions on the maintenance of world peace and the principles of the Charter of the United Nations (CONGRESSIONAL RECORD, March 19, 1948, p. 3121).*

I think that resolution would be very much in order at the present moment, Mr. President, to ask the United Nations to look into this whole matter of creating alliances and further dividing the world.

Obviously, there is nothing in this resolution to suggest that the Senator from Vermont was asking for any military alliance. It simply expresses apprehension over the course of events and asks that a special session of the Security Council or the General Assembly should be called.

Then, on April 12, 1948, Senate Concurrent Resolution 50 was introduced by the Senator from Michigan [Mr. FERGUSON] for himself and 15 other Senators, calling for certain revisions in the Charter of the United Nations. I shall not read this resolution because it is rather long. I ask that it be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas civilization itself is threatened by the atomic cloud now hanging over the world, and by the back-breaking load of an armament race leading to a terrifying third world war; and

Whereas the maintenance of international peace and security demand affirmative action now by all the nations of the world seeking peace, so that the mutual suspicion and fear now driving the world into opposite military camps may be replaced by mutual confidence in a United Nations strong enough to guarantee any member nation, however large or small, and whatever its form of government, against armed violence by any other nation; and

Whereas the Congress favors the revision of the United Nations Charter so that its existing defects, demonstrated by experience, shall be removed, and the United Nations Organization shall be able to fulfill its stated mission as the principal and most effective instrument for world peace; and

Whereas the revision of the United Nations Charter should be undertaken or supported by the United States Government without delay and in a manner that shall most effectively parallel and integrate the measures for world economic recovery already undertaken or yet to be undertaken by the Congress of the United States: Therefore be it

*Resolved by the Senate (the House of Representatives concurring), That the President is authorized and requested to initiate such measures as will carry out without delay the policies hereinabove enunciated, being guided by such principles as he may deem advisable, including the following:*

(1) The revision of the United Nations Charter shall preserve the full sovereignty of member states except for acts of aggression and armament for aggression to be specifically defined in the Charter.

(2) The revision of the United Nations Charter shall be carried out with the approval of all member states if possible; but in the event that any permanent member states should veto the proposals for revision, the United States shall join with other like-minded states in accordance with applicable provisions of the United Nations Charter or in any other manner acceptable to the majority of member states, in establishing, on the basis of a revised United Nations Charter, a more effective international organization for mutual defense without the participation of the abstaining state or states.

(3) As proof of America's unbending will to peace, membership in the revised interna-

tional organization shall remain open to any abstaining state or states not engaged at the time in a war of aggression against a member state, and on the same conditions which prevail for member states.

(4) The revision of the United Nations Charter shall contain the following specific provisions which are deemed the minimum necessary to insure the effective operation of the reorganized United Nations:

(A) Elimination of the veto right by a permanent member in the Security Council, but only in matters of aggression, armament for aggression, and admission to membership in the United Nations.

Aggression shall be prohibited and defined in the Charter, as an attack with weapons of violence by a state (or its citizens) against the recognized territory of a member state; or illegal occupation by a state or territory outside the recognized and established borders of said state and its possessions. Armament for aggression shall be prohibited and defined in the Charter, as the production of atomic or other weapons of mass destruction in violation of agreements or the production of heavy armament beyond agreed quotas; or refusal to submit to inspection.

To conform to the changes in the veto right, representation in the Security Council shall be revised so as to include: Two members each from the United States, the British Commonwealth, and the Union of Soviet Socialist Republics; one each from France and China; and two selected collectively by the remaining member states. Decisions on vetoless matters shall be made by a majority of 6 out of 10.

To interpret the revised United Nations Charter, the International Court of Justice shall be similarly reorganized, or a new World Court established, with power to judge both governments and individuals in specific matters dealing with aggression.

(B) Prevention of armament for aggression. In the matter of atomic weapons, this shall be accomplished by adoption of the official United States proposal for an Atomic Development Authority; in the matter of heavy armament (such as warships, warplanes, and heavy guns) by a world-wide quota limitation of its production, in the following manner:

The Security Council shall establish yearly the maximum of heavy armament to be produced in the world. Of this total, each of the five permanent member states shall have an individual production quota which it may not exceed; and the remaining member states shall have a collective quota to be produced in their territories by an Armament Authority under the management of the Security Council. Armament production quotas, should be: The United States, the British Commonwealth, and the Union of Soviet Socialist Republics, 20 percent each of the fixed world total; France and China, 10 percent each; 20 percent to be the collective quota of the remaining member states. The Security Council shall have full and enforceable rights of inspection.

(C) Establishment of an effective World Police Force, to consist of one international contingent as the active force and five national contingents operating as reserves when needed.

The international contingent, under direct control of the Security Council, shall consist of volunteers recruited exclusively from the citizens of the smaller member states, and shall be equipped with the small nations' collective quota of heavy armament. It shall be stationed, by agreement, in internationalized bases in the smaller states of Europe and Asia, and as policing troops in Germany or other territories when placed under United Nations supervision.



The armed forces of the five major powers shall be the five national contingents. They shall remain under full sovereignty of their respective governments, except that in time of peace their effective strength shall be automatically limited by their agreed quotas of heavy armament production, to be fixed in the United Nations Charter; and except that the governments of the permanent member states shall, subject to their constitutional limitations or procedures, be pledged to make their national contingents available as reserves to the international contingent upon majority decision of the revised Security Council and World Court in specific matters of aggression and armament for aggression.

This tyranny proof and yet overwhelming retaliatory power of the world police force shall also serve as a decisive deterrent against aggressors with bacteriological or chemical weapons or other weapons of mass destruction not easily inspectable.

In the event that a major state shall refuse to participate in the foregoing provisions for the elimination of the world armament race and the establishment of a world police force, then the revised Security Council shall proceed at once to the establishment of the international contingent; furthermore, it shall establish an emergency quota of heavy armament production, to be distributed by agreement among the member states in proportion to their resources, so designed as to make certain that any outside state shall be unable to compete with the overwhelming armament production of the rest of the world, nor engage in acts of aggression against member states.

(5) Until such time as the foregoing provisions for the revised United Nations ((A), (B), (C) plan), or similar provisions, shall be put into effect, the armed forces of the United States and its weapons of every kind shall be maintained at wholly adequate levels.

**MR. TAYLOR.** There is no suggestion in this resolution that any action should be taken which would further divide the world into two armed camps. In fact, quite the contrary is true, as may be seen from a reading of one paragraph:

Whereas the maintenance of international peace and security demand affirmative action now by all the nations of the world seeking peace, so that the mutual suspicion and fear now driving the world into opposite military camps may be replaced by mutual confidence in a United Nations strong enough to guarantee any member nation, however large or small and whatever its form of government, against armed violence by any other nation.

It will be noticed that the whole emphasis is upon action in the United Nations toward strengthening the United Nations.

So far as I can find out, Mr. President, this is a complete list of all the resolutions available for consideration when the Foreign Relations Committee met and reported out Senate Resolution 239, presumably because so many Senators had expressed concern for the welfare of the United Nations.

Here, Mr. President, the able and distinguished then chairman of the Foreign Relations Committee says that Senate Resolution 239 was a direct result of a desire on the part of the Foreign Relations Committee to formulate a resolution which would as nearly as possible approximate the hopes and aspirations expressed in the many resolutions which I have cited and from which I have quoted. Yet the Foreign Relations Com-

mittee brought out a resolution almost entirely different from anything which had previously been introduced.

Perhaps I should not put it that way, Mr. President. Perhaps I should say that a six-sentence resolution was brought out, three sentences of which politely tipped their hats to the many resolutions which Senators had previously introduced.

But, Mr. President, nothing has ever been done about those three sentences. No action has been taken to implement them. Then there were three sentences inserted by those whose actions would seem to indicate that they want to bypass and discard the United Nations. Everything humanly possible has been done to implement those three sections which had no reference to the expressed wishes of the Senate which had been embodied in any resolution previously introduced.

As I say, the first of the six points contained in Senate Resolution 239 does refer to the question of strengthening the United Nations by seeking to abolish the veto. Article 5 mentions reducing armaments, and article 6 makes mention of a possible review of the Charter of the United Nations by the General Assembly. These three items were all mentioned in resolutions previously introduced and which were then pending before the Foreign Relations Committee. It is significant to note again, however, Mr. President, that no action was taken to implement those provisions of Senate Resolution 239 which bore any reference to the resolutions which the Foreign Relations Committee presumably had considered in drawing up Senate Resolution 239. Certainly there was no action with any concerted drive behind it, and no propaganda campaign to support it, as we have seen in behalf of the so-called Atlantic Pact. However, the other three articles of Senate Resolution 239 bear no relation to anything I can find in any of the resolutions which had been introduced and were then pending before the Foreign Relations Committee, unless we take one sentence from the statement of the Senator from Wisconsin at the time he introduced his resolution calling for the creation of a United States of Europe. He did mention, among the many benefits that would accrue from such a union, a greater ability to defend itself. Perhaps that is the excuse for section 2 of Senate Resolution 239, which reads as follows:

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

That is always put in—"in accordance with the purposes, principles, and provisions of the Charter."

Article 3 suggests the association of the United States with such regional and collective arrangements. I can find no suggestion in any of the resolutions then before the committee or in any of the talks delivered in connection with the introduction of those numerous resolutions which appeared in the RECORD that anybody had in mind that we should enter into any alliances outside the United Nations.

Article 4 of Senate Resolution 239 reads as follows:

(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting its national security.

I have no particular quarrel with that section. Like the distinguished senior Senator from Ohio [Mr. TART] I would be willing to vote for such a statement of our determination to oppose aggression, although I cannot find that any of the resolutions then pending before the Foreign Relations Committee called for such a declaration.

So, Mr. President, in response to an insistent demand welling up from the people, I and a great many other Senators introduced resolutions calling for the strengthening of the United Nations. They went into the hopper of the Foreign Relations Committee and out of the other end came Senate Resolution 239, declaring that it was the will of Congress that we should start bypassing and operating outside the United Nations. I want to make it very plain that I, at least, had no such end in mind. I would much rather that any resolution to which I was a party had been left in the "deep freeze," to which the able Senator from Michigan referred, than to have it thawed out and come to life as a Frankenstein monster which could later become the alleged parent of the military alliance which we are presently considering.

This is the chain of events as it has transpired, Mr. President. In 1948 in a series of resolutions referred to the Foreign Relations Committee the Senate made known its desire to strengthen the United Nations in order that we might bring about disarmament. Instead we get Senate Resolution 239, the so-called Vandenberg resolution calling for regional alliances, the only effect of which could be to weaken the United Nations and bring about an increase in armaments.

To allay the fears of some Senators at the time Senate Resolution 239 was up for consideration, the then Chairman of the Foreign Relations Committee had this to say, as was pointed out by the senior Senator from Ohio in his very able address earlier in this debate. I quote from the speech of the senior Senator from Michigan at the time Senate Resolution 239 was up for consideration. This is the same quotation previously used by the senior Senator from Ohio:

The pending resolution is the responsible answer so far as Congress can presently foresee. It declines automatically military alliances. It declines all peacetime renewals of the old, open-ended lend-lease formula. It declines unilateral responsibility for the fate of western Europe. It is none of those things; it is the exact opposite.

And so, Mr. President, the Senators' fears were allayed, and I was one of only four Senators who voted against Senate Resolution 239. Now we are getting all the things the senior Senator from Michigan told us we would not get. And yet the able Senator, the ranking minority



member of the Foreign Relations Committee, told us on the opening day of this debate that we were getting exactly what we asked for. In a speech he made in behalf of the treaty now before us, he had this to say:

When the Senate, by a vote of 64 to 4, on June 11, 1948, adopted Senate Resolution 239, . . . it advised the President of the United States to strive toward strengthening the sinews of the United Nations in behalf of the collective peace and fellowship to which we rededicated our hearts and hopes.

I digress for a moment, Mr. President, to say that is what we did ask for, that was the part of Senate Resolution 239 which could be clearly related to all the various resolutions which had been introduced up to that time. But the senior Senator from Michigan goes on to say:

In particular—

Notice the emphasis, Mr. President, emphasis supplied by the distinguished Senator from Michigan.

"In particular, we advised him," meaning the President—

In particular, we advised him to seek regional and collective arrangements and to associate with them, in behalf of individual and collective self-defense through self-help and mutual aid against armed aggression. . . . The President has acted upon the Senate's all but unanimous advice. He has sent us precisely that for which we asked—and in the tailoring of which we have had a constant hand. Indeed, I would not know what it was I was asking for on that historic day last June if this pact is not it.

That appears in the RECORD of July 6, at page 8897.

Mr. President, I think the Senator from Michigan was well-advised in using the pronoun "I" twice in that last sentence. I think that is the clue to the whole secret of Senate Resolution 239. The distinguished Senator from Michigan included three sentences as a gesture to all the resolutions that had previously been introduced. As has been pointed out in this debate, nothing was ever done about that part of the resolution.

Then, the able Senator from Michigan put in the sections to please himself, or whoever gives him his cue in such matters, and all the work and propaganda have gone to implement those sections—nothing to build up the United Nations and make disarmament possible—concentrate every effort on forming alliances and making arrangements which bypass, undermine, and weaken the United Nations.

While we are on this subject, I should like to make something else plain, Mr. President. I have noticed in the press that those who are opposing the North Atlantic Pact are often referred to as "isolationists." A few years ago that word was built up until it became a bad word, a very bad word; not so bad or all-inclusive as the words "Fascist" and "Communist," but the word "isolationist" has certainly ceased to become a complimentary term.

I, myself, think isolationism is very bad—that we all must live together in this shrinking world. But, Mr. President, seeking to bypass, undermine, and

destroy the United Nations is not internationalism. That is not thinking in world terms. And opposition to alliances of a military nature, or any arrangements outside the United Nations, which tend to weaken that organization certainly is not isolationism. The term has become a little confused. We now find those who were rank isolationists a few years ago to be among the most vocal in denouncing defenders of the United Nations as "isolationists."

In the days of the League of Nations, Mr. President, the isolationists were bold, brave buccaners who made a frontal assault on the League of Nations here in the United States Senate. Today, their descendants and disciples hold forth here and beat their breasts and vigorously denounce those who seek to prevent destruction of the United Nations—who desperately want to build it into an instrument capable of maintaining peace, strong enough in its own right to permit individual nations to disarm.

I must say that the second-generation strategists who are step by step killing the United Nations are much more adroit than their predecessors. They pose as international statesmen and denounce the opposition as isolationists, the while they are busily scuttling the United Nations.

Maybe this pact is what the able and distinguished Senator from Michigan had in mind when S. Res. 239 was foisted on the Senate. It is not what I had in mind, and I do not believe there were very many other Senators who had this alliance in mind when they introduced resolutions calling for the strengthening of the United Nations and an effort to reduce armaments. Nevertheless, here it is.

Mr. President, many Senators have expressed the fear, which I share, that this pact is going to further weaken the United Nations, and that it will in all likelihood lead to an armaments race which could very well hasten war instead of minimizing the prospect.

Of course, we have been assured by the Senator from Michigan that this pact will not weaken the United Nations. In his speech of July 6 the Senator from Michigan had this to say to allay our fears. I quote from the RECORD of July 6, page 8895:

The same Senate which asked, in Senate Resolution 239, for collective self-defense under article 51 of the Charter—as envisioned in the pending treaty—also asked, and in the same breath, for universal disarmament. Let that stand, Mr. President, as an incontestable answer to those malignant critics who cry out that the North Atlantic Pact is born of warmongers harboring evil, armed designs upon their fellow men.

To be sure, Mr. President, we did ask for disarmament, but all we are getting is a military alliance, and we are being asked to assume responsibility for arming half the world.

But the Senator from Michigan went on to assure us further. He said:

The same Senate which thus asked for a "collective arrangement" to implement article 51, pursuant to the terms of the pending treaty, also asked, and in the same breath, for new strengths in the United Nations Charter.

I interrupt the reading at this point, Mr. President, to say that the Senate did indeed ask for new strength in the United Nations Charter. May I ask what has been done to implement that forgotten part of Senate Resolution 239? But to finish the quotation, after referring to the fact that we had asked for new strength in the United Nations Charter, the great Senator from Michigan said:

Let that stand as the equally incontestable answer to those melancholy critics who insist that the North Atlantic Pact is born of a purpose to defile, if not to scuttle, the United Nations.

Mr. President, I have heard no Senator on this floor charge that those who have presented us with the North Atlantic Pact were warmongers harboring evil-armed designs upon their fellow men. Nobody has said that the pact was born of a purpose to defile if not to scuttle the United Nations. Some of us have expressed the fear that this will be the result of the pact, but before any Senator had had an opportunity to make a speech in any way critical of the pact, the distinguished senior Senator from Michigan referred to malignant critics and to those melancholy critics.

Then he went on to reassure us at greater length. He said, as appears at page 8895 of the RECORD of July 6:

I am conscious that this anxiety honestly possesses many earnest friends of the United Nations. I prayerfully say to them that I am certain they are wrong. The pact is written strictly within the framework of the Charter. It implements the Charter pursuant to the Charter's own authority and direction. It categorically asserts in article VII that this treaty does not affect in any way the obligations under the Charter of the parties which are members of the United Nations. It categorically asserts that the treaty does not affect the primary responsibility of the Security Council for the maintenance of international peace and security.

These categorical assurances would make me feel better, Mr. President, if I could forget the equally positive promises which were made by the able Senator from Michigan in 1948 when he said in speaking of Senate Resolution 239—and remember, Mr. President, that the Senator now tells us that Senate Resolution 239 is the father of the present treaty and that it is exactly what we asked for, but at that time the distinguished Senator from Michigan said, and I repeat a quotation which I used earlier, speaking of Senate Resolution 239:

It declines automatically military alliances. It declines all peacetime renewals of the old, open-minded lend-lease formula. It declines unilateral responsibility for the fate of western Europe. It is none of those things; it is the exact opposite (CONGRESSIONAL RECORD, June 11, 1948, p. 7792).

These were not the only assurances given us at the time the Senate adopted Senate Resolution 239. At another place in his speech at that time the Senator from Michigan said:

The extent to which a regional arrangement might be perfected in the Western World is probably far beyond the extent to which, at least for the time being, one could be perfected elsewhere.

Here, Mr. President, the distinguished chairman of the Foreign Relations Committee states that there would be no pacts comparable in scope to the one we had signed with the countries of the Western Hemisphere. Now we are offered a pact with nations outside this hemisphere containing commitments with far greater implications than anything we have signed with South American nations.

At another place we were told by the Senator from Michigan, referring to Senate Resolution 239 of last year:

But I would say in advance that I would not expect any approval by the Senate of the United States of a regional arrangement which would include, outside the Americas, any such automatic obligations as we have been discussing in respect to the Chapultepec Conference.

So, Mr. President, this able chairman of the Foreign Relations Committee in 1948, when the Senate was debating Senate Resolution 239, assured us that there would be no automatic obligations, but in the present pact we do have the automatic obligations—automatic obligations to go to the defense of any of the countries party thereto, and in some cases if their colonies are attacked.

I should also like to refer, Mr. President, to the fact that the able and distinguished Senator from Michigan said that he would not expect any approval by the Senate of the United States of a regional arrangement which would include outside the Americas any such automatic obligations as we have been discussing in respect to the Chapultepec Conference. But unless my ears deceive me, Mr. President, the able Senator from Michigan definitely does expect us to ratify this North Atlantic alliance. And so, Mr. President, the very able chairman of the Foreign Relations Committee assures us and reassures us. In fact, he assures us that we are insured against the things which trouble us.

I think, Mr. President, when the history books are written the senior Senator from Michigan will be known as the great insurer of the uninsurable. I have to say this for the Senator. The fact that his assurances of yesterday are the broken promises of today does not at all stop him from reassuring us that what we have today is the very thing we asked for yesterday, and that what we get tomorrow will be nothing different from what we are asking for today. If there is any credit due anybody for the sorry record of broken assurances which I have recited, I think nearly all the glory should go to the senior Senator from Michigan; and if there is any blame for the broken promises and the sorry plight in which we now find ourselves, where many Senators feel compelled to vote for this pact against their honest convictions, then I say the blame also should be laid at the door of the great Republican statesman, the former chairman of the Foreign Relations Committee, and the present ranking minority member, that great and persuasive purveyor of the bipartisan foreign policy, the eloquent insurer of the uninsurable, whose Churchillian phrases and dogmatic pronouncements together with countless befuddling clarifications can be found with lavish pro-

fusion in all the treaties and reports which have come from the Foreign Relations Committee for 10, these many years.

Fate has placed him in the strategic position of being at the top of the seniority heap at a most critical time in our history. With the aid of an unprecedented build-up by a press devoted to the proposition that peace and harmony are incompatible with circulation and profits, an aura has been thrown about the name of VANDENBERG that makes a contemplative critic cringe at the prospect of the withering condescension of the scorn which he would most certainly invite. By the sheer force of a dominating personality, which is apparently based on an unlimited confidence in his own unlimited infallibility, the Senator from Michigan has to this point ruled with an iron hand.

With absolute confidence, he has caused the Senate to accept dogma as gospel and the bold statement of his fancy as cold, hard fact. The Senator has mastered the strategy of the military axiom which tells us that offense is the best defense. In opening this debate, he struck a heavy blow at the opposition before they ever had a chance to open their apologetic mouths or exercise their quivering vocal cords—before they even had a chance to touch a match to their powder he had fouled the barrels of their flintlocks with hard and harsh words of condemnation.

Referring to some revelation he had just passed on to the Senate, the able Senator from Michigan had this to say:

Let that stand, Mr. President, as an incontestable answer to those malignant critics who cry out that the North Atlantic Pact is born of warmongers harboring evil, armed designs upon their fellow men.

I submit, Mr. President, that Shakespeare could have done no better in using the English language to bring terror to the hearts of evildoers he had created in his own imagination.

But, just in case there might be those who would resign themselves to being branded by the oracle as malignant critics—and proceed with their opposition—the Senator from Michigan let go the second barrel.

Referring to Senate Resolution 239, which he contends is the parent of the treaty which we are now considering, the Senator mentioned the fact that one of the provisions of that resolution asked for new strengths in the United Nations Charter and, although nothing was ever done about these good provisions of Senate Resolution 239, the able Senator nevertheless used that forgotten provision as the breastworks from behind which he fired the next salvo:

Let that stand as the equally incontestable answer to those melancholy critics who insist that the North Atlantic Pact is born of a purpose to defile if not to scuttle the United Nations.

Now, Mr. President, the malignant critics have become melancholy critics as well, methinks, indeed, Mr. President, the Senator has been reading Shakespeare, and those of us who would deny his right single-handedly to direct this production he is casting in the role of

Hamlet, the melancholy Dane. Forsooth, we are the melancholy critics. Such tactics of calling the opposition names before they even raise their hat on a stick would be vociferously resented by the Senate if they should be used by a Senator of lesser reputation.

But coming from the great Senator from Michigan it strikes terror to the heart of most would-be defenders of the United Nations and chills the reasoning process in embryonic infancy. And so, Mr. President, our ship of state thunders on through the breakers toward the rocks and reefs that lie ahead, along the dangerous course of bypassing the United Nations. The dove of peace is chained to our masthead. The fate of world peace is irrevocably, vitally, and probably finally affected by the ill-conceived action which we would now sanction. On our ill-starred journey into the unknown where many another ship of state has foundered on the shifting sands and jagged rocks of other alliances, we are proceeding with our sails full of hot air and assurances, while the majestic figure of the Senator from Michigan stands firmly grasping the helm, his ponderous and presupposed profound pronouncements rolling back and forth across the country even as a miniature mountain meadow in the high country of Idaho echoes and reverberates to the stentorian call of a mating moose—perhaps I should say a distinguished and able mating moose.

And so, Mr. President, the distinguished Senator from Michigan holds forth, blasting away at the opposition with the mighty guns of his superlative oratory and preventing all but a few critics from raising their heads or voices by virtue of the authority which is his because of his unquestioned great prestige. Indeed, he keeps down opposition almost as effectively as an expert marksman ensconced atop a knoll in the middle of a prairie-dog town.

If he has not been the architect of our foreign policy, he has certainly been its chief exponent; he has been the Pied Piper of Hamelin who has led the Senate in its consideration of foreign affairs using with great ability the weapons of studied rhetorical obfuscation and unlimited categorical assurances.

Without in any way meaning to detract from the encomiums I have lavished upon the Senator from Michigan, I should like to mention that in the debate on Senate Resolution 239 the senior Senator from Texas [Mr. CONNALLY], the very able chairman of the Foreign Relations Committee, who was at that time the ranking minority member, had this to say:

I think the question of hemispheric arrangement is peculiar from our viewpoint, by reason of the historical setting, referring particularly to the Monroe Doctrine. But I should be very reluctant, I may say, to join any other regional organization in the world. It would involve us in difficulties we might not be able to avoid. (CONGRESSIONAL RECORD, June 11, 1948, p. 7804.)

One of two things has happened, Mr. President. Either the able Senator from Texas has forgotten his reluctance or he is reluctantly going along on the present treaty. I am convinced that he



was right in 1948 when he said that to join other regional organizations would involve us in difficulties we might not be able to avoid.

More recently in the course of the present debate, the distinguished chairman of the Foreign Relations Committee has told us that there is no obligation upon any Senator to vote for implementation of this treaty. He said it was written in black and white. Frankly, those of us with doubts have been unable to find where it is set forth in black and white that there will be no obligation. At least for every assurance that there is no obligation which we may find in black and white there is another in white and black wherein some equally important authority proclaims "there is an obligation." Personally, I am convinced that the record will be written in red—if I may be pardoned for using such a naughty word, Mr. President. To make myself more clear, I believe that if we consent to the present treaty, the arms will automatically follow; and the red I refer to is the red ink of greater and greater deficits caused by unlimited spending for an endless stream of armaments.

We are called upon to arm Europe, Mr. President, because the workers in those countries would sabotage the production of armaments within their own borders in their own factories. If their workers will not produce the arms can their soldiers, who after all are largely workers in uniform, be depended upon to use the arms against Russia? I do not have the best connections with the military, Mr. President, but from public writings available to all I have gained the distinct impression that we cannot hope to supply Europe with sufficient arms to withstand an all-out attack by Russia should it occur. In such a case, of course, whatever we send to Europe would then be turned against us.

In a recent issue of the United States News and World Report, a quite conservative publication edited by a journalist of very good reputation, Mr. David Lawrence, there was an article pointing out that if the Russians contemplated military aggression toward the West, they should be building up their communication and transport facilities in that direction; but the article stated that the Russians were deliberately refraining from such action. In fact, I gained the impression that they were more or less letting transport facilities on their western frontiers deteriorate as a defensive move. In other words, it would appear that they are afraid of being invaded and do not want any possible invader to find transport facilities which might aid in an invasion. If these be the facts, does it not seem to indicate that our recent allies are not bent on conquest after all?

I have been most interested, Mr. President, in the statements of previous speakers that the countries of Europe were trading with Russia and seeking to increase that trade; that Britain had sent or was sending some 1,200 locomotives to the Russians. Is not this a rather ridiculous state of affairs? Here our businessmen, manufacturers, and exporters are crying out for markets for our

exportable surpluses and our economy is in the doldrums because of a lack of export markets; yet under the Marshall plan we supply vast quantities of materials to England and other European countries while we turn up our noses at the Russians and refuse to trade with them, although they are the only ones we might expect to be able to give us anything of value in return for any goods we ship to them. They would probably be willing in the future as in the past to send us rare metals which, as I understand, we must have if we are to continue our stock piling of strategic materials in our frantic preparations for war.

Certainly a substantial trade with Russia would go a long way to improve relations generally. However, as things now stand we refuse to trade with them. We ship goods to Europe which permits the Europeans to divert just that much of their productive capacity to producing goods for shipment to Russia. A pattern of trade is being established which will probably be very difficult to change should we ever come to our senses and decide to trade with the Russians. If any good will is created, certainly we do not share in it.

Which brings me to another point. What excuse can we have for feeling that these European nations will have any regard for commitments they may make in joining the North Atlantic Pact. They have individually broken many agreements on monetary and trade matters which they have previously entered into with this Government.

It is also my belief that once we are committed to the North Atlantic Pact the European nations will heave a comfortable sigh, settle back and say, "Now we are all in this military alliance together. But we really cannot afford to arm ourselves so it is up to you, Uncle Sam." Once we are in the pact we shall have to protect ourselves by strengthening our allies militarily, so we shall be forced to send them arms in ever increasing amounts. This in turn may be very well, but I do not see how it can help but lead us down the road of an armament economy. When a country becomes a slave to an armament economy, I do not believe it can escape the dictatorship and loss of freedom which have been associated with the armament economy of other nations.

A press report of recent date informs us that the Italian Senate is considering the advisability of postponing the ratification of the Atlantic Pact until our own Senate has acted not only on the Pact, but also on the question of arms to implement it. Let no one delude himself, Mr. President, that this is a nice, friendly little pact designed to strengthen cultural relations or to build up the United Nations. It is a military alliance. I was about to use the words "pure and simple" but it is neither of those things. It is a military pact stark and naked.

Our allies would not be interested for one moment if they did not have before them the prospect of being furnished the very latest armaments at the expense of the American taxpayers to the tune of billions of dollars.

If there is anything these proposed allies of ours cherish more than the sanctity of their solemn pledges and commitments, it is the happy vision of Uncle Sam's starting another great "something for nothing" program. Mark my words, Mr. President, that is exactly what this grandiose new scheme amounts to.

With the possible exception of England, there is not a country among them that would put up more than a token resistance to Russia.

They would all be torn by paralyzing internal revolution immediately upon the beginning of hostilities, and as I have previously pointed out, our arms would then be turned against us. By irrevocably involving ourselves with these nations, we are immeasurably increasing the risk of war. We will not add to our military security but, on the contrary, will in reality be placing an as yet undetermined amount of our armaments at the disposal of a potential enemy. The additional drain upon our Treasury to supply arms to Europe will make it necessary for us to further increase the national debt at the risk of facing national bankruptcy, because some place, sometime, Mr. President, there comes a point where the camel's back is broken.

I believe we should first of all make an all-out effort to build up the United Nations. We should continue and increase our efforts to reach an agreement for world-wide disarmament. Certainly we should quit this business of even entertaining the thought that we should not negotiate with the Russians on the theory that it might thaw out the cold war and thereby cause the American people to embrace a feeling of false security.

If, in the end, after all possible measures had been taken in all good faith, none of the things I have outlined were possible of accomplishment, then we should look to ourselves for our own defense. Mr. President, I could well compare the situation to the early days on the western plains. When Indians attacked our forefathers, they formed a circle of wagons and all of them got inside the wagon train. They did not have a lot of folks outside on the prairie, somewhere, whom they were also trying to defend. That is exactly what this Atlantic Pact amounts to. We have a lot of folks scattered around, out in the prairie somewhere, and we are going to send them guns which we will need inside the enclosure.

I believe I speak for a great many Americans when I say that I would feel a great deal safer in trusting the defense of this country, if the worse should come to the worst, to my own sons and other American boys like them who believe in our free institutions, than I would if we had scattered arms all around the world in the futile expectation that they would be used effectively in our defense by people who envy us our wealth and are jealous of our material well-being. In fact, they would be used against us.

I foresee the possibility, Mr. President, that we shall again have need of the Russians as an ally in another war against resurgent fascism. Increasingly often of

late I have read articles in the newspapers about the reappearance and growth of the fascist idea in Italy. In the Washington Times-Herald of July 18 there is a prominent headline:

"'New Hitler' arouses Germans as old one did."

In a column of recent date entitled "The We-or-They Fallacy," Walter Lippmann points out that influences at work in the world are rendering out of date the popular idea that the Russians and ourselves are the key to everything. In a very few years new powers may emerge and realignment take place that will render completely passé the "we-or-they fallacy."

Recently, Mr. President, the New York State Bar Association held its annual meeting. One of the principal speakers was Mr. James Grafton Rogers, former Assistant Secretary of State. Mr. Rogers is also a member of the foreign affairs subcommittee of the Hoover Commission on Organization of the Executive Branch of the Government. Mr. Rogers told the lawyers that Germany and Japan could very well be back on top of the heap in a comparatively short time. He predicts that it will not be long until we are going to wake up and find the Fascists riding high once more and then we shall wonder why in the world we were so worried about Russia.

Here is one paragraph of Mr. Rogers' talk:

All through history powerful and industrious defeated peoples have recovered amazingly in almost a handful of years. Germany and Japan are industrious. Five or 10 years from now we will look back on our present preoccupation with Russia as another of our short-sighted foreign policies.

Mr. President, that is a flat statement; he does not say it may happen; he says, "We will."

I believe Mr. Rogers may be absolutely right, Mr. President. Yet here we are, tying ourselves up for 20 years with other nations, one of which, Portugal, is a Fascist nation; another of which, Italy, was recently our enemy, madly acclaiming Il Duce, and could very well be our enemy again.

By arming Europe, Mr. President, we make it possible for those nations to continue imposing their will upon colonial peoples. Mr. Rogers in his address to the lawyers said we caused the United Nations to suffer one of its most severe losses in prestige through our failure to prevent the Dutch police action in Indonesia. Not only did we fail to prevent it, Mr. President; the Dutch were using our guns.

More than a year ago, I made a speech on the floor of the Senate, in which I pointed out that our foreign policy was losing us friends all around the world. At the time I was severely criticized, on the ground that my own criticism of our foreign policy amounted to giving aid and comfort to Russia. I did not mean to give aid and comfort to Russia or to anyone else, Mr. President. I was trying to warn the American people that the good will we had gained by our dominating role in the fight against fascism was being dissipated.

Now the same things I said at that time are being printed in respectable publications. On March 25 of this year, there appeared in the United States News and World Report an article entitled "What the World Thinks of United States: Report on a 3-Year Tour," written by that publication's far eastern editor. I ask that this article be printed as an appendix at the end of my remarks.

The PRESIDING OFFICER (Mr. MUNDT in the chair). Without objection, it is so ordered.

(See exhibit A.)

Mr. TAYLOR. Mr. President, Newsweek magazine, in its issue of May 30, carried a similar article entitled, "South Asia: Where and How America Loses Friends." I also ask that this article be included as an appendix at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. THYE in the chair). Without objection, it is so ordered.

(See exhibit B.)

Mr. TAYLOR. Mr. President, in substantiation of my statement that workers in countries with which we seek to ally ourselves could not be trusted to produce armaments, I should like to have printed in the RECORD at the conclusion of my remarks an article by Constantine Brown, a well-known newspaper columnist. The article also supports my contention that the State Department has not been forthright in its dealings with the Senate. The heading of the article is "Opposition to Atlantic Pact seen due to lack of candor by State Department." I ask unanimous consent to have the article printed as indicated.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit C.)

Mr. TAYLOR. Mr. President, I also ask unanimous consent that a second article by Constantine Brown, the title of which is "DULLES in State Department Disfavor After Charges of Artificial Alarm," be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit D.)

Mr. TAYLOR. Mr. President, this article calls attention to the slip the junior Senator from New York [Mr. DULLES] made the other day when he let the cat out of the bag by saying that they had considered in Paris just telling the Russians to go jump in the lake, and not even to talk to the Russians, so that they, the American representatives, could keep the liver scared out of us. Constantine Brown mentions that, except he does not seem to think there is anything very reprehensible about the whole procedure, for his concern merely seems to be that DULLES let the cat out of the bag. That seems to be all that worries Mr. Brown. He said:

This indiscretion on the part of Senator DULLES, who attended most of the secret meetings held in Paris last month, caused many Senators to wonder whether the reports from "highly qualified quarters" in the spring and summer of 1948, when there was a strong expectation that the Russians were about ready to attack western Europe, were not prompted by similar political motives.

I agree. As I stated earlier in my remarks, I believe such tactics have been resorted to in the past. I do not think we would ever have had a Senate Resolution 239 if they had not scared us at the time with bogeymen. I do not think we would ever have passed a draft law, if they had not figured out some artificial crises.

There is another article here, the one I referred to from the Times-Herald, about the new Hitler arousing Germany. I ask that that be printed as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit E.)

Mr. TAYLOR. Mr. President, I should also like to have printed the article I referred to in the early part of my speech, which appeared in the United States News and World Report of July 8, entitled "Why War Scare Is Ending—Russia's Shift to Defensive."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit F.)

Mr. TAYLOR. I also ask to have printed in the RECORD as a part of my remarks a statement recently mailed to me by Hamilton A. Long, from Chicago, Ill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit G.)

Mr. TAYLOR. I also ask to have printed in the RECORD certain excerpts from a memorandum on national legislation of interest to religious groups, issued by the Friends Committee on National Legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit H.)

Mr. TAYLOR. I should also like to have printed an article from the Washington Post of May 20 entitled, "Atlantic Pact Called Step to Needless War." It calls attention to a conference which was called by such distinguished persons as Thomas Mann and Albert Einstein.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. TAYLOR. Another article from the New York Times of April 15, Religious Leaders See Peril in Pact.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit J.)

Mr. TAYLOR. Finally, Mr. President, I should like to have printed an article from the Daily Compass, of Tuesday, July 19, 1949, entitled "Winnie Clears It With Baruch," by Jon Kimche. It is under the dateline of London, July 18, and, in part, reads as follows:

It is reported, in fact, that Churchill will come out with a proposal for a rapprochement with Russia and outline his suggestions for a settlement of the cold war. This, his friends think, would be an invaluable and perhaps decisive Conservative Party asset in the next election.

In other words, Churchill, in an effort to get his Conservatives into power, is going to come forth now and settle everything with Russia; which would seem to indicate that they could be settled any time somebody decides to settle them.



Well, Mr. Churchill started the iron curtain. He hung it at Fulton. I can think of no one who would be more appropriate to take it down than Mr. Churchill. He caused the whole miserable business. I wish he had stayed home and minded his own business.

The PRESIDING OFFICER (Mr. THYE in the chair). Without objection, it is so ordered. [Laughter.]

Mr. TAYLOR. Good. I hope that will appear in the RECORD.

(See exhibit K.)

Mr. TAYLOR. Mr. President, there appeared in the Washington Post of Monday, July 18, an article which should give some people food for thought. The heading reads as follows:

Speed of new Russian jets baffles foreign air attachés. United States admiral impressed.

Describing an air show in Moscow which was witnessed by foreign observers, the article says:

The United Press reported that some of the superjet fighters were so fast that foreign attachés who watched them streak past could not agree on their characteristics.

Jet planes, completely new types and known ones of improved models, appeared in such number at the annual air show that foreign experts believed they now are in mass production.

New jets flashed across Tushino Airfield at altitudes under 1,000 feet. They had come and gone, before the airfield announcer could finish saying they were there.

The air attachés could not agree on the appearance or character of the new planes because of their great speed. Nor could they agree on the exact number of new types or the improvements made on known models.

Now, Mr. President, to those who would have us go swaggering about forming military alliances and needlessly provoking the Russians by setting up bases on their very frontier, I should like to ask this question: If the Russians are able to build jet airplanes with such speed and maneuverability as to baffle our observers, is it not reasonable to assume that they also have the industrial know-how and the other techniques necessary to the manufacture of the atomic bomb?

Frankly, Mr. President, I think that we have missed the boat. We should have put a great deal more faith, energy, and money into the United Nations. Compared to the vast sums we have spent on extraneous matters, the help we have given the United Nations has been peanuts. For every dollar we have invested in the United Nations we have spent \$1,000 on armaments. True, we have given it more financial support than any other nation, but I do not believe that is any excuse for our having given it a minimum of financial support compared to other projects which to my mind could not even approach the United Nations in its potentialities for keeping world peace.

Maybe it is too late. Maybe there is nothing left for us to do but resort to alliances and increased armaments, resign ourselves to military dictatorship, the loss of our cherished freedoms, and prepare for Armageddon. I am unwilling to accept that grim and somber prospect. I believe that an all-out military

struggle between the two halves of a divided world would mean the end of freedom, world-wide desolation, and new dark ages for mankind; with always, of course, the possibility of the extermination of the human species as a result of the development of more powerful and perhaps new and unheard-of weapons.

My principal reason for being opposed to the North Atlantic Pact is that I have placed so much faith and hope in the United Nations. Despite all the assurances to the contrary, I am still convinced that this pact will, in fact, if it does not intentionally, by-pass, undermine, and weaken the United Nations. While I am not a legal authority, my reading on the subject convinces me that it does violence to the provisions of the Atlantic Charter with reference to such matters, and if it does not violate the Charter in the strict legal interpretation, to my mind it certainly violates the spirit of the Charter.

I was elected to the United States Senate on a two-point platform. One of the two planks pledged unfaltering support for an international world-wide organization to keep peace in the world. I shall adhere to that promise to the end.

Referring again, Mr. President, to the assurances that this pact can and will operate within the limits prescribed by the United Nations Charter, referring again to the assurances that those who vote for the pact will not be obligated to vote for military aid, I should like to call attention once again to the assurances we received when Senate Resolution 239 was up for consideration. We were assured repeatedly in unequivocal terms that Senate Resolution 239 did not call for the arming of Europe. Most of the debate revolved around the possibility of modifying the veto. And yet, Mr. President, the newspapers all interpreted Senate Resolution 239 to mean military aid.

The New York Times of Saturday, June 12, 1948, had this headline:

Senate proclaims military aid plan for free nations.

The Washington Post prominently displays this headline:

Senate approves plan for arms aid to Europe. Resolution drawn by VANDENBERG—

There we have it, Mr. President, "resolution drawn by VANDENBERG."

Resolution drawn by VANDENBERG urges President to seek defense pacts.

Not a word, Mr. President, about strengthening the United Nations. Not a word about disarmament. All the emphasis on more arms—"Senate approves plan for arms aid to Europe."

Strange as it may seem, the Washington Times-Herald, which is usually the worst warmonger of all the Washington newspapers, carries the headline:

Senate O. K.'s curb on big power United Nations veto.

Of course, the subheading says:

VANDENBERG's plan supports defense pacts.

In that article is this paragraph:

By its action the Senate slammed the door on western European hopes of obtaining United States arms during this session of

Congress, but it leaves it ajar for eventual United States support of collective defense pacts against aggression.

That is the very thing I have discussed, Mr. President, this step by step weaning away from the United Nations, down the road of armed alliances. Do not give the Senators too much at one time, as they might regurgitate, but leave the door ajar so we can sneak back in with the next dose of armaments and with some more arsenic for the United Nations.

The New York Herald Tribune carried the headline:

Senate backs military aid to Europe, 64 to 4.

I was one of the four, Mr. President, I am happy to say. I was one of the four who were not taken in. There will be a larger number this time. Three or four times as many. Next time there will be more.

The subheading in the Tribune article, June 12, 1948, reads:

Paves way to assist five-nation alliance.

Five nations, you will notice, Mr. President. Now that we face the actuality, it is 11 nations.

In still smaller type another subheading reads:

VANDENBERG's resolution also calls for curbing use of veto in UN.

Those were the headlines when the Senate passed Senate Resolution 239. I can see the headlines when we pass the North Atlantic Pact.

Senate clears way for arming of Europe.

And probably a subheading:

United States assumes obligation of re-arming democracies against Russian aggression.

Then perhaps there will be no further action at this session. Perhaps things will be allowed to cool off so Senators can forget the heated arguments as to whether or not those who vote for the pact obligate themselves also to vote for arms. Then, later, after the war-minded press has put on a big propaganda drive for arms to Europe, we will be told that of course there was a commitment and that now we must deliver or our country will lose face, just as we have been told about the present treaty, that we must ratify it or else suffer an irreparable loss of prestige.

Frankly, Mr. President, I tried conscientiously to convince myself that I could vote for this pact without searing my conscience. I do not like to be pictured as a maverick. Even including my votes on foreign policy, my record of party regularity is excelled by few, if any, Senators. But these votes on foreign policy seem to have a way of standing out like a sore thumb. Nevertheless, I am going to keep my record clear. When this vote is over I can still truthfully say that I have never compromised with my conscience and my best judgment on a single vote since I have been in the Senate. Always I have predicated my decision on what I believed to be best for my country and its people. It is my firm resolve to adhere to that course so long as I may be privileged to serve in the United States Senate.

## EXHIBIT A

[From United States News and World Report for March 25, 1949]

WHAT WORLD THINKS OF UNITED STATES:  
REPORT ON A 3-YEAR TOUR

(An interview with Joseph Fromm, far eastern editor, United States News and World Report)

(EDITOR'S NOTE.—Joseph Fromm, far eastern editor of United States News and World Report, has just returned to America after 3 years of reporting that took him around the world. During his travels, Mr. Fromm watched the beginning and the growth of the American occupation in Japan. He was in China when the Communist sweep began, and he foretold the collapse of the Chiang Kai-shek government's control over millions of Chinese. In the last year, Mr. Fromm has been on hand for the fighting in Indonesia, the revolution in Indochina, the pro-Communist uprising in Malaya, the warfare in Palestine and elsewhere. He has covered the "cold war" from Korea, through the Middle East, to Spain. Mr. Fromm is in the United States for a vacation before returning to his post in the Far East. The editors of United States News and World Report sat down with Mr. Fromm in our conference rooms to discuss his impressions of the trend of world events. His opinions appear in the interview on these pages.)

Question. How does it feel to be back, after all that traveling, Mr. Fromm?

Answer. Fine. This country looks good.

Question. What impressions did you get overseas? Do people think there is going to be a war?

Answer. I found very little feeling of a prospect of war most places I went. That is true in Spain, for example. And it certainly is true in China. There is little feeling out there about a war between America and Russia.

Question. What about Iran?

Answer. In Iran I found generally that the people didn't think there would be a war. They were jittery, all right. They recognize that if there is a war any so-called containment policy won't contain anybody there. As far as effectively checking the Russians, that isn't even a prospect.

We've been putting in \$100,000,000 worth of military equipment—so-called surplus—and we gave it to them with a \$10,000,000 credit. They started trying to develop an Iranian Army. One of the men who is active in it told me that, if the Russians marched into Iran, the Iranian Army would run to the south. The only effective resistance might be in guerrilla warfare.

Question. What is the biggest impression you got, over all?

Answer. I think the outstanding impression concerns America more than anything else. People everywhere seem to think the American approach to world problems is out of date. From the representation of the State Department I got the impression, as I talked with them at embassies and such places, that the United States is playing with the world as though the countries were just chess pawns and there were no human beings involved. Lots of times the people don't seem to be taken into consideration at all.

There seems to be a tendency to think you can buy nations. You can pour \$2,000,000,000 into China, but you're not going to buy China. There is a revolution going on throughout Asia. It's a popular, mass revolution—right from the grass roots. But our policy, much of it anyway, is still based on the prewar status quo. That is the impression of lots of people in Asia.

## AMERICA'S LOST PRESTIGE

At the end of the war, I was flabbergasted at the amount of American prestige. In Malaya, in Indonesia, people would pick me up

and throw their arms around me. In Indochina it was the same thing. They expected America to be the champion of Nationalist movements.

You can imagine the terrific let-down of these people when they decided America was on the side of the colonial powers. For instance, the Prime Minister of the Indonesian Republic told me: "America has betrayed us. America is supporting the Dutch." I ran into the same thing in Indochina, where the people are fighting the French.

The Communists always are on the side of the Nationalist movements. In Indonesia, the Communist line is: "The Americans have betrayed us. The Russians have agreed to trade with us. So you see who our friends are."

Question. The Russians are trying to take advantage of the situation out there?

Answer. I'd say, rather, that they have taken advantage of a historical situation and we have not. I don't credit their intelligence. I think the United States just failed to sense an opportunity.

Once in Saigon I had a conversation with three young men who are fighting the French. I asked one of them: "Why do you follow Ho Chi Minh. He's a Communist. Don't you realize what might happen to your country?"

They were amused. The man I was talking to laughed at me and said: "You mean Ho Chi Minh is a Nationalist? The French have destroyed every other Nationalist organization here. We would rather have Indochina ruled by a native Communist than an Indochina ruled by the French."

## COMMUNIST ARGUMENTS IN CHINA

Question. Where do they get the money and the instruments to spread this communism?

Answer. The point is, it doesn't take much.

Take the little farmer in China who gets up at 5 in the morning and works until dark and after. He pays 50 to 60 percent of his crop in rent, another 20 percent in taxes, and then the army comes along and takes 10 percent more. He sees no chance of a change.

Then the Communists come along—with no money whatsoever—and merely say: "Look. Why are you doing this? Why don't you join us and fight for your rights here?" You don't need money to mobilize that.

Another thing, in China the Communists got a lot of free guns and ammunition. It was Japanese stuff the Russians neglected to turn over to Chiang Kai-shek's Nationalists. That lasted a few years.

Now, though, I would say that 70 percent of the Communist equipment is American. I know of one case where the Communists trapped a Nationalist army and got the equipment of 50,000 men. In Mukden, everybody knew that the Nationalist troops and officers were selling their guns on the streets. In Tientsin, lots of guns were smuggled to the Communists.

Question. What's going to happen to China now?

Answer. I think the Communists are going to set up a coalition government.

Question. Dominated by Russia?

Answer. To this extent: In international affairs. Communist China is going to co-operate with Russia because, after all, they probably reason that, if there is a war and Russia is defeated, then they lose too. But I think on internal affairs, the Communists will not let Russia say: "Now, you will do this."

Question. Could the United States have kept China? Or was the allegiance to Russia so strong that nothing could be done?

Answer. In the first place, I certainly think there was a possibility of preventing the Communists from taking over all of

China. General Marshall, during his mission out there, felt that the Communists dominated maybe a fourth of the country at that time and the Kuomintang—the Chiang Kai-shek Government—had three-fourths. General Marshall brought them together, but a lot of people think that the Kuomintang didn't want a coalition.

People out there say General Marshall did a marvelous job. But, unfortunately, he had to leave at a critical period and the whole thing blew up. I think our policy after the Marshall mission was based on the idea that it was possible to crush the Chinese Communists. But, actually, I don't think we could have done it. They have too much popular support. They are too strong.

Question. How important is China from the standpoint of peace in the world?

Answer. Industrially, China is so backward that I can't think the country itself is any threat to peace. If one is thinking in terms of war, the fact that the Communists are taking over means Russia's Asiatic flank is safe. But I don't think anybody is thinking about invading Russia through China.

Politically, the situation might have the effect of heartening a lot of people in Asia. The people in Indochina, for instance. They may say: "Now we have a big brother to the north." Many people who weren't Communists before are going to think it might be a good idea to become Communists.

Question. Will it have any effect on India?

Answer. India is pretty remote from all this. I think it will remain neutral. One thing, though—the Communists in India seem to have learned some lessons from the Communists in China. They have gotten into the labor unions, and they are pretty strong there. But I think they are counting on rural India to be the strength of their movement, as it was in China.

## DOUBTS ABOUT JAPAN

Question. What about Japan?

Answer. Our new policy seems to be to forget about reform and put recovery first in Japan. It seems to me the primary objective of United States policy in Japan is, first, to get Japan off the American dole and, secondly, keep down the Communists.

But almost everybody recognizes that a self-sufficient Japan requires the cooperation of the countries of Asia, particularly Manchuria. That is the main source of soybeans, coal, iron ore, cotton, and wool. The whole Japanese economy in the past—Manchuria was the backbone of it.

Manchuria is Communist now. They are not going to trade with Japan. And the Chinese Communists are not going to co-operate in trade with Japan if there is any hint that America is building the place up as a military power. The same thing is true in the Philippines. It is political suicide there to advocate trade with Japan.

The President of the Philippines was upset about it when I talked with him. He said: "You're building up a reactionary Japan as a base against Russia. You're buying dubious allies. We fear a resurgent Japan far more than we fear Russia."

I think these reactions are largely a result of our shift in policy during the last 18 months.

## SHIFT IN UNITED STATES POLICY

Question. Shift in what policy?

Answer. The United States policy in the occupation. During the first year the main theme was that Japan had to be democratized. That was the basic policy. The breaking up of the zaibatsu (big monopolies) was one of the major things. But now I think we've scrapped the whole policy of zaibatsu dissolution.

Question. There have been almost no reparations?

Answer. That's right. Certainly it has been to a large extent Russia's fault. But



also on our part, we haven't desired to have reparations.

There is a great conflict in our policy. On the one hand, the State Department says our only objective is to make Japan self-sufficient. But then a committee of engineers hired by the Army made its report on reparations and economic reconstruction, and people in Asia were flabbergasted. This report came out and advocated the retention of practically all prewar Japan's industrial capacity—a capacity that the United States, in early policy, admitted included a tremendous amount of what they call obvious excess capacity.

And people out there began to wonder. If, as we had said before, so much industry was obvious excess, why was it suddenly necessary to retain it in Japan if our policy is only to develop a self-sufficient and democratic country?

Question. Is it possible the events in China have caused a policy switch in Japan?

Answer. Yes. I am sure that we have switched the emphasis in Japan as a result of that. Apparently we haven't decided yet what we want to do. In other words, one branch of the Government says we want Japan to be self-sufficient, and then the Army indicates we want Japan to be a military base.

We've got to decide whether we want Japan as a military base. If we do, then I think we'll have to subsidize the economy indefinitely. Because if that is United States policy, we won't get the cooperation of China, or the Philippines, or Australia. They are not going to assist in the development of a militaristic Japan.

#### JAPANESE AS ALLIES?

Question. In case a war came, would the Japanese people be America's allies?

Answer. I would say, the way the political trend in Japan is going now, that in 5 years you will see the working class violently opposed to America, and the small group of politicians and former war lords on the side of the United States. Whether the Japanese people would fight for us, I would say, is extremely questionable. Anyway, there would be a very effective fifth column, because the Communists have some extremely capable leaders and they are well organized.

We've already seen the results of the recent elections there, in which the Communists made a relatively spectacular showing. That trend started quite a while ago. There was one case where a tax was imposed. It hit the workers pretty hard. The result was that there were strikes—which were banned—and the Socialists who had to apply the tax were accused of being antilabor. Feeling was such that a lot of workers turned to the Communists.

One of the Communist leaders used to tell me: "Every time General MacArthur bans a strike we make votes." Of course, the Communists want to make the situation appear: "the Americans against the workers and the Communists," and I am inclined to believe they have pretty well succeeded. That is demonstrated by the election results. I think the trend of United States policy now will start pinching the farmers, so that in the next year or two the farmers will feel that they have no one to turn to except the Communists.

Question. Are the Russians mixing into the Near East-Palestine business?

Answer. Not very much. The Russians, for the last 25 years, have had a consistent policy in the Middle East. They've changed tactics, but the ultimate objective always has been the same; to dislodge the British and the French from the position on Russia's flank.

Palestine showed that up. First, the Russians supported the Zionists, then they opposed them. They supported the Arabs, and

then they supported partition. They always looked at it against the background of what the British were doing at the time. Their idea has been to get Britain out, wherever possible.

Question. Is there much Communist infiltration in the Near East and Middle East?

Answer. Not a great deal. In Israel you have a small Communist Party. Of course, I have read stories that the Russians are sending a lot of spies and such things, but I am very dubious of that.

I would say that there is less prospect of communism in Israel than any country I have visited. There is less class conflict, for one thing, less social conflict. Labor relations are excellent because the unions are part of the Government. The workers have a very strong position already, so the Communists have nothing to offer these people.

I talked with a lot of people there. By supporting Israel consistently, the United States has achieved a position where the Israeli Government is pointed very much in the direction of America, both politically and economically. The party that controls the Government favors what its spokesmen call "neutrality." In other words, they want to be friendly both with Russia and America, and deal with them. I would call it a pro-American neutrality.

Question. What about Arab countries?

Answer. Practically all the experts I talked with said there is less prospect of real communism throughout this whole area than anywhere else. Among the Arabs, the real bar to communism is the feudalistic, religious barrier.

From Russia's point of view, she didn't have to be worried about adopting an all-out pro-Israel policy. She probably didn't care if she embarrassed all the Communist Parties in all the Arab countries. For 25 years they haven't been able to do anything, anyway.

The Communists are working along the lines of Russian foreign policy to get rid of foreign powers in the Middle East. That means Britain, France, America, etc.. So you find the Communists collaborating with the nationalists groups. You find them very active with the violently antiforeign movements.

So far as United States policy is concerned, we don't have to worry about the Arabs cutting off the oil. As it has worked out—and as most of the people who have spent a lot of time there point out—the Arabs need us more than we need them. In Saudi Arabia, King Ibn Saud gets a lot of American dollars for his oil. He wasn't going to cut off the oil and bankrupt his country to fight over Palestine.

I think the effect of the United States policy in taking a position that was against the Arabs, or at least a position backing Israel, has put our relations with the Arab countries on a very realistic basis. As far as the ordinary people of those countries are concerned, America's attitude doesn't mean a great deal. There isn't much popular opinion in those places. The Arab countries are far more backward than any others in Asia.

And our policy in America has shown the people who run the Arab governments that they have to watch their step more than we have to watch ours. In other words, they need our economic assistance, our trade, and our purchase of their oil, and they know it. The friendship of Israel is probably as important as the friendship of all the other states collectively. Israel is obviously there to stay. It is going to be the most dynamic country in the whole Middle East.

Question. Did you get into Greece?

Answer. Just for a day or two, on my way to Italy.

Question. Then you wound up in Spain?

Answer. Yes. Madrid was my last long stop.

Question. After all that, what is your impression of United States policy? Are we playing a lone hand in foreign relations or are we following the British? Just what are we trying to do?

Answer. In the Near East at one time we followed the British. Now we are pretty well playing our own hand.

In Asia we just don't seem to have any consistent policy at all. People I've talked with feel it is a sort of policy of compromises, of half measures. This doesn't apply to western Europe maybe. But in Asia, the Middle East, and in Spain American policy has been negative almost universally.

Question. We are putting up a lot of money, aren't we?

Answer. That's just it. America is spending billions, apparently with the idea that we can buy world support with our money. But the chances are it will mean spending money indefinitely because the people themselves are offered nothing very dramatic.

For instance, a worker in Italy has been getting 200 grams of bread a day. If we did not go in and help he would be cut to 150. But he is not much impressed with the fact that he still gets 200 grams. That isn't going to turn him against communism.

What is going to turn him against communism is if he gets 300 grams of bread a day and has a reasonable tax system or a reasonable land system—that's the sort of thing that will persuade him.

#### CASH VERSUS PERSUASION

Question. That costs, too, doesn't it?

Answer. Yes. My point is nothing is being done to persuade the people. One might say that the United States bought off Italy last year in the election over there. But the fact remains that nothing has been done yet to persuade the 30 percent of the people or so who voted Communist to vote against the Communists next time. So, to make any headway, we have to buy them again.

Question. If we didn't put dollars in China, in Italy, and Greece—if we gave nothing but moral support to the people who are opposing Communists—could these anti-Communists win? Some people in the United States get frightened every time the Communists make the slightest gain.

Answer. That's it. It seems to me the great danger is that the United States will get so terrified as its policies backfire in some parts of the world and the Communists take over, that we might do things that are audacious to the point where they will be provoking.

The Russians go in and back the Communist Party whether the Communists are in power or not. They go along with the revolutionary movement. Most people today are a great neutral mass. They can see no reason to support America and no particular reason to support the Communists. They are not going to fight Communists if they come in, and they are not going to fight on America's side to throw Communists out.

Question. What do you think about Spain?

Answer. Franco is wooing us now, but it is on his terms. I calculate it would mean an expenditure of \$2,000,000,000 to make Spain an effective ally, and what would you have after you spent the \$2,000,000,000?

Anybody who goes in to help Franco now has to take Franco as he is. When we suggest reforms, people in his government always say: "Our economic situation is so delicate that if we do anything it might cause unrest and we would have nothing to fall back on. But if you came over with \$200,000,000 or \$500,000,000, then we would be able to consider these things."

The idea seems to be that once you're in you can't get out. And once you're in they don't have to do anything to keep you in. Some of the men over there are talking themselves into a conviction that if we don't give



them economic assistance, there will be riots and the Communists will take over.

I just don't believe it. I have not found a single well-informed member of our embassy staff there who sees any prospect of a civil war in Spain. They say in the whole history of Spain there has never been a revolution as a result of hunger.

#### COST OF AID TO SPAIN

As far as Franco being an ally, I think what the United States would wind up with is this: We would spend a lot of money to build up his economy. But the economy obviously couldn't support a country that was on the alert for war. Therefore, we would constantly be required to subsidize Spain's domestic economy. Indefinitely. It wouldn't be a 5-year program. It would be a 10-year program, or 15. Even so, what would we wind up with?

The Spanish people still, despite the absence of a more positive American policy, are very definitely pro-American. Many of these people do not like Franco. They have no hope whatsoever of getting any aid. Therefore, any aid you put in—even though it might prevent the wheat ration from being reduced—wouldn't have enough dramatic effect to convince the people it was good. Because, the price they would be paying would be their last hope of getting rid of Franco.

The hope of getting rid of Franco stems from the prospect that the Spanish economy will deteriorate to the point where the people around Franco will decide that American aid is so imperative they will compel him to step down. It's difficult to predict whether this pressure would force Franco out. It is a very distinct possibility, but Franco's retirement would not really solve the Spanish problem.

Question. One thing is clear anyway: The world really seems to be in a mess, doesn't it? Answer. That's right—quite a mess.

#### EXHIBIT B

[From Newsweek for May 30, 1949]

#### SOUTH ASIA: WHERE AND HOW AMERICA LOSSES FRIENDS

(As the shadow of Communist China falls over south Asia, the feeling of south Asian peoples about the United States will play a large part in shaping future events. Three years ago when he toured the area for Newsweek, Associate Editor Harold Isaacs found America and Americans held in highest regard. Here is what he found on a recent swing back through the same countries:)

Pak Kromo, who farms a small patch on the edge of a town in Java, was on his way to market. He had been walking along the road, his back slightly bent, balancing two baskets of vegetables. He had just set them down and squatted to rest—a small, hard, brown, preoccupied man with a seamed face and betel-stained teeth. He looked up with half-suspicious curiosity when we stopped to talk. Like most farmers, Pak Kromo did not like nosy strangers.

But he returned our greeting. After a few minutes of talk he pointed at me and asked my friend: "He's not a blonda (Dutchman), is he?" My friend laughed, "How did you know?" he asked. "He seems polite," said Pak Kromo.

My interpreter explained that I was an American who wanted to know what he thought about things. Pak Kromo looked me over, suspiciously but with a squint of interest. "An American?" he repeated. "What would an American want to know from me?"

"I'd like to know what you think America has to do with your affairs," I said. Pak Kromo said nothing. He pulled a short blade of grass and put it in his mouth. Finally he said: "The Americans are helping the Dutch."

"How?" I wanted to know.

Pak Kromo spit out the piece of grass and plucked another. "America is the most

powerful country in the world. Holland is a small country being helped by America, isn't it?" I nodded. "Then how could Holland," he almost shouted, "make war unless America helped her do it?"

As Pak Kromo shouldered his load again, the interpreter looked at me quizzically, then laughed. "Most of us would put it the other way around," he said. "We'd say that Holland wouldn't be able to make war against us here if the United States really acted to keep her from doing so. But I think we understand more about America in Java now than we did 3 years ago. We were pretty foolish then."

#### VANISHING DREAM

Three years before there had been a dizzy dream about the United States almost everywhere in South Asia. America was powerful enough to conquer the oceans, cleave the mountains, and crush the Japanese. Americans were coming as friends and partners not as rulers. They would help make a brave new world in which Asians would play an equal role.

That dream has gone now, with hardly a trace remaining except perhaps in the acute disappointment and hard-dying hopes that underlie the feeling about America everywhere. There are still not a few would-be friends who almost wistfully want to know when Americans will realize that friendship is a two-way street. But now it is Pak Kromo, with his squint and his simplification of complex events, who best sums up the common attitude. It came in varied accents, in hostile or tired voices, in diplomatic phrases or in plain speech, but it was almost always the same compound of confusion, mistrust, and outright hostility.

Confusion: In Jogjakarta, the occupied Indonesian Republican capital, a young Indonesian woman said: "I wonder what America really wants? The United States backed the Dutch in their first police action. I'm sure of that. Now the Americans are talking in the UN against the Dutch. What lies behind it? Maybe I just don't understand. America is the country of big business and I think maybe all Americans really want is profits."

In India, Jai Prakash Narayan, leader of the Socialist Party, knows America better than most of his countrymen. He worked his way through an American college and wandered on foot around the country during his vacations. He is today perhaps the stoutest opponent in India of Communist totalitarianism. But Jai Prakash cannot make sense of American acts in south Asia. "I know Americans are sincere and well-meaning, but I don't know if I understand what America is up to in Asia. Americans don't seem very clear themselves, and I wonder if they know the price they are going to have to pay for this confusion."

Mistrust: A young Malay nationalist said: "Every time there is an issue affecting a colonial people in the UN, the United States ends up on the side of the colonial countries. Russia always seems to end up on the other side, making Russia seem our champion, working for us. What conclusions are we to draw from this?"

"Tell me," said a dark-skinned Tamil from South India, "I understand that in America dark-skinned people must live only in certain places and go to certain schools. Is that true?"

"Americans are friendly, democratic chaps," said a Chinese in Malacca on the Malayan coast. "But when it comes to people with different color skins, they treat us either as curiosities or as inferior beings. At least with the British we've always known where we stood. They were always the master race. But they never talked as much about democracy as the Americans do. Isn't this really a case of social schizophrenia?"

"We're beginning to think that both America and Russia are poison for us," said a Japanese nationalist youth leader. "America

didn't show a flicker of any real support for us until we had our Communist revolt. Then there was some excitement and your representative in the UN, Jessup, made strong anti-Dutch speeches. Maybe if we drummed up a real Communist movement here, we'd get some real American help, only too late."

#### VANISHING FRIENDS

There are friends of the United States among some of the leaders in south Asia. But they have a way of turning up chiefly among politicians attached to corrupt and unpopular regimes, as in Siam and the Philippines, or among ambitious businessmen bent on transplanting the free-enterprise system to their countries. The more important moderate nationalist leaders have to be sensitive to popular sentiment and are much less willing to call themselves pro-American in world affairs.

In India—the most important of these is probably Jawaharlal Nehru, Prime Minister of India. Nehru is a volatile intellectual more at home among emotional enthusiasms than among hard facts. A great and persuasive exponent of individual freedom, Nehru has until quite recently retained many 10-year-old illusions about Russian "democracy." As a lifelong anti-imperialist and one-time Socialist, he still has a deep mistrust of American capitalism, which he remembers as the firm ally of the British Raj.

Today these ideas are subject to the pressures of Nehru's new position. In Indian affairs he is allied with big business interests. He has been repelled and angered by the disloyal tactics of the Indian Communists. His ideas about Russia have been modified. He is drawn westward, as his negotiation of a new formula to keep India as a republic in the Commonwealth clearly shows. At the same time he retains his mistrust of the race-superiority complex of the West and he wants, if possible, to keep his country clear of the west's conflicts. Hence his policy of neutrality in the cold war.

In Indonesia: President Soekarno of the Indonesian Republic and most of his ministers still list themselves, a little sadly and wearily, as friends of the United States. They wish that American friendship for their cause were consistent enough to still the angry critics among their own followers who charge that they have conceded too much to the Dutch at American behest.

One of these critics today is former Premier Sutan Sjahrir, who probably reflects more accurately than the incumbent leaders the state of mind among Republicans. He has lost the faith in which he once negotiated with the Dutch under Anglo-American and UN auspices. A potent sideline influence, he is sensitive to the mood of the younger Republican who now often say something like this: "We'll get our freedom by fighting for it, not by waiting for America to help us get it. If our leaders don't see it that way, we'll find other leaders."

In Malaya: Here the United States is viewed mainly as the buyer of tin and rubber and as such a supporter of continued British control over the unresolved conflicts of Malays and Chinese. The most vociferous critics of America are, ironically enough, not Chinese or Malays but British rubber planters, indignant over what they call an American synthetic-rubber conspiracy to keep natural-rubber prices unprofitably low.

In Burma: Only the most conservative older politicians are frankly pro-American, but they are entirely out of the political picture, in which all the active political factions are generally leftist and share a widespread suspicion of the United States as a capitalist colossus.

In the Philippines: In this commonwealth, formally independent of American rule only since 1946, it is now a political liability to be tagged as pro-American. In the involved party and clique rivalries, almost every man who aspires to political power must insist



that he will seek revision or abrogation of the independence provisions giving Americans equal privileges with Filipinos in exploitation of the country's resources. Although few Americans have availed themselves of these special privileges, the act nettles most Filipinos.

Perhaps the most striking index to Filipino feeling is the fact that the leading contender for the Presidency is José P. Laurel, who was puppet president under the Japanese. His greatest appeal to the public, aside from his reputed incorruptibility, is the fact that he is and always has been anti-American.

#### EXHIBIT C

[From the Washington Evening Star for July 15, 1949]

#### OPPOSITION TO ATLANTIC PACT SEEN DUE TO LACK OF CANDOR BY STATE DEPARTMENT (By Constantine Brown)

Lack of candor on the part of the State Department and its spokesmen in the Senate as to the real meaning of the Atlantic Pact lies at the bottom of the increased opposition to the pact's ratification. The administration hopes, however, that ratification will be completed some time early next week.

The battle was seriously joined when Senate proponents of the pact decided that introduction of a limitation, as proposed by Senator WHERRY, of Nebraska, Republican floor leader, would require that the signatories rewrite the treaty.

The Nebraskan proposed that the treaty, when ratified, should not be construed as an obligation on the part of the United States to provide arms and ammunition to the other signatories of the pact. He insisted that any proposal to appropriate money for Europe's rearmament should be independent of the treaty, and that the Senate should not assume even a moral obligation to pass such appropriations simply because it had ratified the pact.

#### PACT MUST HAVE FORCE

The fact is that, regardless of the language in the treaty binding the new western coalition, the pact will be nothing but an expression of pious wishes unless it is backed by adequate military force to meet any attack from an aggressor—that is to say, Soviet Russia.

No international agreement, treaty, or pact of the character of the Atlantic alliance can be effective unless it is backed by strong military force. This unpleasant, but at the same time inescapable, truth has been glossed over by the State Department, as well as the Atlantic Pact's strong defenders in the Senate, both of whom preferred to hide behind sophisms rather than admit the whole truth and the implications of the treaty.

Western Europe is not in a position today to provide its own heavy weapons; not only is its industry unprepared for such production but it is highly questionable whether the workers in its metallurgical industries would be willing to produce at the critical moment.

It is true that communism is receding in western Europe as a result of American help. But that does not mean that it has become a negligible factor. The Communists are particularly strong in those industries which can produce tanks, planes, and motors. The recent 24-hour strike of workers in the Italian metallurgical industry is sufficient proof of Communist strength.

#### COSTS OF PRODUCTION

Theoretically, the western European nations—Britain, France, Italy, and Belgium—should be able before long to produce modern military equipment much more cheaply than it can be produced in this country. Again, theoretically, the cost to the American taxpayers of armed aid to Europe would

be cut just about in half if the equipment were produced on the other side of the Atlantic.

The equipping of a full division with modern war apparatus costs about \$400,000,000 in this country, while in continental Europe it would cost less than \$250,000,000. But the Communists are so strong in the labor unions whose members would be required to produce the weapons that the various European governments do not feel at present that they can be sure of the continuous production which is necessary to organize 25 European divisions in the next 5 years.

If these facts had been made plain by the State Department and its Senate spokesmen, if the Senators had been told frankly that only after the democratic governments have really consolidated their position through American economic and political assistance can they expect to start military reconstruction, the present discussions would have been avoided.

#### EXHIBIT D

[From the Washington Evening Star for July 16, 1949]

#### DULLES IN STATE DEPARTMENT DISFAVOR AFTER CHARGES OF ARTIFICIAL ALARM (By Constantine Brown)

Senator DULLES is in the doghouse as far as the State Department is concerned.

In the course of his maiden speech last Tuesday, advocating ratification of the Atlantic Pact, he volunteered the highly interesting information that during the recent Paris conference it had been suggested by some western European leaders that the American people be kept "artificially alarmed" over the threat of a Soviet aggression in order to assist passage of the Atlantic Pact in the Senate.

This proposition, Senator Dulles added on the Senate floor, was naturally rejected by Secretary of State Acheson and his advisers.

This indiscretion on the part of Senator DULLES, who attended most of the secret meetings held in Paris last month, caused many Senators to wonder whether the reports from "highly qualified quarters" in the spring and summer of 1948, when there was a strong expectation that the Russians were about ready to attack western Europe, were not prompted by similar political motives.

#### REPORTS UNSUBSTANTIATED

Some Senators in the Armed Services Committee recall that no positive substantiation of those reports could be given them in executive sessions by the intelligence services of the armed forces. The officers who appeared were cautious, saying only that while our own information agents could detect only minor troop movements, the bulk of the alarming information came from the intelligence services of western European countries, who frequently have better and more numerous sources than we have.

It was due to these alarming reports—to some extent, at least—that Congress voted large appropriations for the military establishment and approved the Air Force 70-group proposal, which later was reduced to 48 groups at the request of Defense Secretary Johnson himself.

While the State Department will make no denial of Senator DULLES' remarks, off-the-record explanations are available. For instance, it is said—not for quotation or attribution—that scare stories about Soviet troop concentrations were correct. They followed the Russian cold-war pattern, after Moscow had decided to enforce a blockade on Berlin and believed that we would be unable to combat such a blockade.

The official sources add that not only we in the United States, but also the French and British Governments, despite public statements to the contrary by their respective

foreign ministers, were on pins and needles over when the blow from the East would come.

It was at that time, long before the British evolved the idea for an Atlantic Pact, that the western European nations made their first approach for arms and ammunition from the United States to equip their manpower for resistance to a Russian attack. Representatives of the British and French general staffs came to Washington quietly to discuss the situation with our military leaders and suggest some ways of getting armament.

#### MADE CLEAR BY LAW

When it was made clear that the law governing the European recovery program did not permit money to be spent on armament, some imaginative Frenchman suggested that tanks and antiaircraft artillery could be sent under the label of farm machinery.

It was at that time that the State Department approached some Senate leaders with the idea that the administration ask Congress to appropriate about \$1,000,000,000 to rearm forces of the newly created western bloc.

Senator VANDENBERG, it is said, doused the idea with cold water. He told the State Department that unless there was some political treaty to provide a basis for such a request, the demand for appropriations to rearm Europe at that time would have no chance of passing the House and Senate.

On the advice of the chairman of the Senate Foreign Relations Committee the matter was dropped. The western European governments undoubtedly were informed about the "trend" in Congress, and the idea of an Atlantic Pact is believed to have sprung from that information.

Nevertheless, the State Department feels that the indiscretion of Senator DULLES—who used on the Senate floor information which he gained as a delegate to the Paris Conference—will injure seriously the White House's request for appropriations for the arming of western Europe, which the department considers to be essential implementation of the Atlantic Pact.

#### EXHIBIT E

[From the Washington Times Herald]

#### "NEW HITLER AROUSES GERMANS AS OLD ONE DID"

(Here is the first full story of postwar Germany's "new Hitler," a young war veteran acclaimed by his followers as a successor to Der Fuehrer.)

(By Irving R. Levine)

WOLFSBURG, Germany, July 18.—The only man since Hitler who has roused Germans to the verge of the old-time "heil" hysteria is making it plain his enforced retirement is just a temporary thing.

Occupation officials are bearing his name in mind. He is Werner Wolfgang Falck, considered so dangerous the British military government kicked him out of politics.

They are reluctantly convinced he has in him the making of this generation's Fuehrer and they see epitomized in him the ultra-nationalistic spirit that marked Germany for more than a century.

#### EXPULSED FROM WOLFSBURG

Falck's power as leader of the "German Rightist party" in the British zone was cut short last April when occupation officers banned the three-year old movement and expelled Falck from Wolfsburg, biggest city in Gifhorn county and site of his party's main strength.

By ousting him from the area, the British aimed at the roots of the movement.

It was estimated he had 125,000 followers when the young war hero retired to tend his garden among the bombed ruins of Goettingen. He spends his time now studying for a doctor of philosophy degree.

Until his at least temporary eclipse, Falck bore for many observers an uncomfortable resemblance—in manner if not in appearance—to Hitler in Der Fuehrer's early days in Munich.

Falck has a head start on Hitler. The Nazi leader was 34 when he whipped together the nucleus of his brown-shirted zealots in Munich in 1923. The tall, blond and well-built Falck is only 25. Like Hitler, he gesticulates wildly, shouting, raising his voice to shattering crescendoes, using every obvious device of soap-box rabble-rousing oratory to incite his audience.

It paid off for him, for a time. In Wolfsburg, founded by Hitler in 1938 as a manufacturing city, crowds cheered Falck wildly. Last November his party won 16 of 25 vacant town council seats.

#### AVOIDED NAZI LINE

To keep the British satisfied, Falck deliberately steered from the stigma of identifying himself with Nazism. He argued that the only way to avoid a resurgence of Nazism was to follow him.

One British official wondered: "How that fits in with the way he spoke, and the things he stood for, is beyond me."

Just as Hitler had the "trademark" of a mustache, so cleanliness, fair, six-foot-two Falck grew one for himself. Out of respect to what he terms the "mistreated" German war veteran, he capitalized on his military record—he was wounded on the Russian front—and adopted black boots, black breeches and a cane as his patent.

Wolfsburg, whose postwar population has been swelled by embittered prisoners of war, has been a constant worry for the British. Even after the official death of his party, ballots were marked with such slogans as "We'll vote for the German Rightist party or none," and "Give us back our Fuehrer, Adolf Hitler."

In this atmosphere, Falck repeatedly hawked this program:

1. Only Nazis guilty of actual crimes, punishable in courts, should be tried.
2. No large-scale denazification.
3. No punishment for political convictions or political errors.
4. German war veterans should be honored for their service to the fatherland.
5. Restore the house of Hohenzollern.
6. No land reforms; industrial monopolies are undesirable.

#### EXHIBIT F

[From United States News and World Report of July 8, 1949]

#### WHY WAR SCARE IS ENDING: RUSSIA'S SHIFT TO DEFENSIVE

(Reported from London, Paris and Washington)

Russian armies are not ready to move. Military planning inside the Kremlin points to defense now, not to attack.

Emphasis is off combat troops, air and naval raiders. Soldiers are doubling as construction workers.

Russia can muster world's biggest armies. But Stalin, impressed with United States industrial power, is less inclined to pick a fight.

War no longer is entering into the day-to-day calculations of diplomats and politicians in the United States or in western Europe. At this season, when war should develop if it were going to occur in 1949, the atmosphere is calmer than at any time since 1946.

Responsible officials agree that the west can take no chances and must keep its powder dry. Nobody in the west claims to have a pipe line into the Kremlin, where a few men make Russia's decisions. But scares about war which give a sense of urgency to military preparations are lacking now.

Russia, diplomatically, is on the defensive. The impression of change is reflected in the

interview on page 30 with John Foster Dulles, United States delegate to the conference of foreign ministers at Paris. In addition, the change is showing up in military matters. Britain is trimming military manpower somewhat. The United States Congress is showing less of an urge to give the military services all they want. Russia's military moves also appear to indicate plans for defense rather than aggressive intentions.

At home and in eastern Europe, Russia's military activity, over all, suggests that the Kremlin is worried about holding what it already has rather than about trying to get more territory by using or showing force.

Military evidence of Russia's intentions for the years just ahead is hard to pin down. The Soviet dictatorship is more secretive about everything in general and military matters in particular than any other government in the world. On the best available evidence, however, these are the facts:

Manpower under arms in Russia totals close to 4,000,000. Four out of every 200 Russians are in uniform, as compared to 2.3 out of every 200 Americans. Most Americans in uniform, however, are volunteers, whereas only about 25 percent of the Russian total are professional soldiers, sailors, or airmen. The rest are conscripts serving under Russian laws of universal military service. In addition, Russia is counting on upward of 1,000,000 men in the armed forces of its satellite states in eastern Europe.

Russia's armed forces are the largest in the world excepting only the civil-war armies of China. For Russia, this is nothing new. Since 1900, Russia has maintained the world's largest peacetime force. Now that the United States has 1,625,000 in uniform, few of them draftees, Russia may consider her peacetime armed forces stabilized at 4,000,000. One year's class of conscripts in Russia runs about 1,000,000. Service of 2 to 3 years is required of all Russians.

The land army of Russia is the world's strongest. Some 3,000,000 soldiers are organized into six armies and nearly 200 divisions. About half these divisions, including 450,000 politically elite troops of the MVD, troops comparable to Nazi Germany's SS troops, are fairly well equipped and armed.

Disposition of these forces at present does not suggest that Russia is planning to attack the west. There may be 30 Russian divisions in eastern Germany, perhaps 20 more in the rest of Soviet-occupied Europe. But the bulk of the Soviet land army is in European Russia between Poland and the Urals. Many of these troops are kept busy at nonmilitary jobs, building Government housing, dams, roads, and the like. A major objective in the Soviet armed forces is to train conscripts from rural areas to drive trucks, handle simple tools, and do jobs that will enable them to fit into Russia's expanding industry.

Naval forces of Russia are weak, very weak in relation to United States and British sea power. Russia has only one small aircraft carrier building and none afloat. Russian battleships are obsolete, cruisers are few in number. Emphasis in the Russian Navy is on submarines. Russia has about 250 submarines, of which perhaps 125 are equipped with the schnorkel underwater breathing device. More are building. The undersea fleet is a challenge to surface fleets of other nations in the event of war, but Russia has no ocean transport for her own forces.

Air forces of the Soviet Union are strong in jet-propelled fighters and interceptors, weak in long-range strategic bombers. That means Russia is strong in air defense, weak in air attack. Russia is believed to have about 18,000 military planes, both combat and utility, on the active list, with perhaps 15,000, mainly obsolete, in reserve. The United States lists 17,290 planes on the active list and about 15,000 in reserve. But figures on numbers of planes tell little of comparative strength.

Russia's strategic-bomber section is just over a year old and may have as many as 1,000 bombers of the B-29 type. The United States Air Force has about 2,800 B-29's in use and in storage. But Russia is still building B-29's while the United States is flying the B-50, a much better plane, and has about 50 B-36 6-engine bombers which can fly from Alaska to any point in Russia and back again. There is nothing to indicate that Russia has planes to match these.

Arms production in Russia is high in some fields, low in others. Over all, production appears to be geared to arms and support for a big land army, not an air or sea striking force. Tank output remains high, and the Russian heavy tank is considered the world's best. Artillery production is high, too. Russia is taking some guns from the Skoda works in Czechoslovakia, distributing the rest to the armies Moscow can expect to obey Russian orders in eastern Europe. Plane production is from 8,000 to 12,000 a year.

In such arms as guided missiles, rockets, and the like, Russia appears to be trailing the United States, but not by much. German factories that made guided missiles fell into Soviet hands at the end of World War II and German technicians now are working for Russia.

But there are gaps in Russia's military machine that suggest that Russia does not plan aggressive war.

Transport, for example, is in bad condition from the industrial areas of the Urals and Moscow to Russia's European borders. There is no indication that Russia is building the kind of transport network needed for aggressive war, the kind of roads that Nazi Germany built before World War II. Instead, Russia's planners appear to be deliberately leaving transport on her west so weak, as a defensive measure, that the country's industry is suffering.

Spending for war in Russia is going to take about 15.1 percent of the national income of the Soviet Union in 1949, whereas the United States, for the year beginning July 1, is likely to spend only about 7 percent of the national income. But there is much guesswork, there are many imponderables, in such figures. The United States counts on private industry, working for consumers' peacetime needs, to build up industrial power that, if necessary, could be used for war. Russia, with an industry run by government, has no such reserve and cannot match the United States level of industrial production.

Military conclusions based on available facts and much deduction, are that Russia is not likely to risk an aggressive war when United States industrial capacity is so far ahead. Most of Russia's military preparations appear to be defensive, not aggressive. Military men in the west know that 13 men in the Kremlin could send Russia to war tomorrow if they chose. They know, too, that Russia's plans depend on the extent of the economic slump currently developing in the United States. Over all, however, the feeling in the west is that the chances of peace just ahead are better than at any time since the end of World War II.

#### EXHIBIT G

#### RENEGOTIATE THE NORTH ATLANTIC PACT

CHICAGO, ILL., July 7, 1949.

To the United States Senate:

Identification: Native American; veteran of both World Wars (a major in Air Force last time); lawyer; long-time outspoken foe of communism and Communists and their evil aims and practices here and abroad; a close student of foreign policy and related military matters, incident to my years of writing and lecturing on this subject; a staunch advocate of the American tradition of fairness and candor in international dealings. For fuller statement of background and views against the pact see pages 1235-63,



part 3, records of hearings of the Connally committee.

The pact should be renegotiated in fairness to all peoples concerned, including the American people, and to create a sound basis, in clear, mutual understanding, for any alliance to be made; in part for the following reasons which are supported by overwhelming factual evidence and authoritative opinions. To ratify it "as is" is to build on sand.

1. To make Europe secure against invasion by Russia, not merely to promise postoccupation liberation, is America's obligation under the pact—the understanding on the basis of which our President, State Department, and military leaders negotiated it and other governments signed it. Contrary pretensions are belied by the facts and work a fraud on the American people; just as any American intention not to live up to this obligation, if the pact is ratified, will work a fraud on, victimize the other peoples involved. It's the pact's very heart.

2. No European government would have signed the pact without such assurances; least of all the shaky Queuille regime of France. As he said early this year, France (like Europe) wants security against invasion because any "liberation by America would be liberating a corpse \* \* \* 15 days, even, after the invasion will be too late \* \* \*" (to save all non-Communist leaders of western Europe civilization from liquidation).

3. The British government has a different, superior role regarding the pact; which fulfills partly the Churchill-Roosevelt secret agreement, made at their August 1941 Atlantic Charter meeting, that British-United States forces would police the postwar world. They then contemplated that the UN was sure to be futile and would be used to this end (just as Russia was certain to seek to use it to her opposing ends). In 1945, the Attlee regime agreed; Bevin telling Parliament (Nov. 7): "Britain's policy is to keep on policing the world as she has always tried to do—until a league of nations is developed which can be trusted with the atomic bomb \* \* \*". This 1941 deal was confirmed by the Churchill-Truman pronouncement, in effect, of the then already working British-United States global military alliance, at their March 1946, Fulton, Mo., appearance (which had been arranged 6 months earlier—about VJ-day); following by only a few days Secretary of State Byrnes announcement of the new "get tough with Russia" policy, in a speech reportedly talked over with Churchill at their private meeting in Florida 2 weeks earlier. The other pact signers, mostly Britain's old allies, are subordinate under this primarily British-United States alliance; which fulfills Britain's plans, dating far back (even to Canning's scheme, in 1823, which the unilateral Monroe Doctrine negated) to utilize America's power in furtherance of British imperial interests and unchanging balance-of-power aims and policies in the Old World. To marry America to Britain with respect to these Old World interests, aims and policies, as the pact does in effect, is as needless as it is unsound; today, like 1823.

4. America's obligation under the Pact, to make Europe secure against invasion, requires mammoth rearmament of both Europe and Britain, to create even the appearance—illusory at best—of prospective success in blocking invasion, even briefly. Russia's now vast and growing armies and air force can overrun Europe in a few weeks, maybe days, as United States, British and other military leaders well know. Russia has, moreover, the power and the will to keep this overwhelming superiority there; no matter how greatly Europe and Britain are rearmed. Armaments and arms-producing facilities provided Europe by America, directly or indirectly, will therefore be Rus-

sia's for the taking; will increase Russia's war-potential at the expense of our own. Besides her present forces of some 4,000,000 reportedly—equipped with new, post-war, tanks, jet-planes etc.—which she can double and more, quickly, Russia has the use of the vast resources, material and manpower, of north China, east Europe; and (in war) of Germany, which Russia and France will make sure remains permanently disarmed. Nothing less than a unified, concentrated, ever-ready western Europe force of 200 front-line divisions (some 2,000,000 men), powerfully armored and supported by a great air force, could give any hope of more than token resistance; though doomed to be futile anyway against Russia's overwhelmingly, inevitably, superior forces. Mere hordes of men in uniform do not make a fighting force, moreover, if lacking the will to fight; and the people of Europe (except the disarmed Germans) lack the will to fight Russia—notably France and Italy, harboring some 3,000,000 known native Communists (potential traitors). This helps to explain Gen. De Gaulle's reported remark last year that even 50 western Europe divisions would merely create "an army of prisoners again." A colossal Dunkirk—a la 1940. Even the permanent stationing in Europe of hundreds of thousands of American troops—in line with the pact's adoption of the principle that the defense of western Europe against Russian invasion is essential to America's national security—could not alter this military picture substantially; because any such American force, like present United States troops there, would be wholly inadequate and mere hostages to the Kremlin.

5. Any attempt to create such a great unified force in western Europe would induce, indeed impel, attack by Russia; and less so only in degree with respect to any large force. This would contribute directly to producing the very evil sought to be avoided—Russia's invasion and seizure of Europe; meanwhile giving her a potent propaganda weapon.

6. Britain cannot fight Russia, so arming her cannot aid America—in any Russo-American war; because the British Isles themselves are indefensible, helpless, against Russia's V-2 alone—as Britain's military leaders advised their Government in 1946 or earlier, per reliable reports.

7. Russia's superior equipment makes United States 1945 types (tanks, planes, etc.) useless against her; so greatly improved models would be needed for rearmament of any forces to oppose Russia. Talk about rearming Europe with our on-hand World War II equipment ("surplus") just misleads the American and European peoples; and makes the Kremlin laugh. Militarily, it is a fraud; in relation to trying to make Europe secure against invasion by Russia. The cost of the needed new equipment would be colossal; in money and evil effects on peacetime economy. The 200 front-line divisions, with all necessary supporting organizations, would cost (each) \$250,000,000 for initial equipment; plus scores of billions for the needed supporting airforce; plus many billions annually for upkeep of the forces and equipment-replacements (ever changing models of tanks, planes, etc.). To lead the American people to believe otherwise, with talk of a cost of a billion or two as the focus of attention is sheer deception.

8. Bankrupt Britain and Europe—lacking both resources and money for the task—expect America to rearm them; in part with United States-made arms, in part by recreating and supporting (with manufacturing equipment, materials, and money) their armaments industries. The American people will not foot this bill and thus expose our country to Russian conquest through bankruptcy; will not thus gut America's national security resources, her war-potential, to Russia's direct gain (see 4); will not pay endless billions under the long-term

Marshall Plan which is implicit in the pact—largely to build a new British empire in Africa; will not, in these and other respects, back the pact's Old World power-politics schemes, originating mainly in London. Not when they learn the truth.

9. The only cure for the evil inherent in the pact, as and when signed, is by way of full renegotiation—with all facts known to all the peoples involved. Good conscience, good morals, good sense, require nothing less. To ratify the pact as is is to build on sand, militarily and otherwise. Any individual, or group, senatorial interpretations, seeking to qualify the meaning of a vote for ratification, will not suffice but to mislead and stultify.

10. The pact should be renegotiated for the sake of all peoples concerned, especially the American people; in part to allow them time in which to learn the truth about it before final Senate action.

Respectfully submitted.

HAMILTON A. LONG.

#### EXHIBIT H

MEMORANDUM ON NATIONAL LEGISLATION OF INTEREST TO RELIGIOUS GROUPS, ISSUED BY THE FRIENDS COMMITTEE ON NATIONAL LEGISLATION, WASHINGTON, D. C.

FRIENDS COMMITTEE ON NATIONAL LEGISLATION OPPOSES SUCH A PACT

In its annual statement on legislative policy, adopted January 6, 1949, and circulated with a recent newsletter, the Friends Committee on National Legislation said:

"We oppose (1) attempts to form a North Atlantic Security Pact and other proposals for armed alliances in the guise of regional arrangements under the United Nations because these, we believe, will further solidify the existing divisions in the world instead of reducing these divisions and fostering the unity necessary for peaceful cooperation; (2) establishment of bases in, or a military alliance with, Spain; (3) efforts to misdirect the Benelux agreements into a military alliance; (4) the building of military bases in former mandated and colonial areas; (5) the policy of attempting the containment of Russia by military pressure because it bypasses the United Nations and retards the development of security through truly international action."

#### SOME QUESTIONS ABOUT THE PACT

1. Is the pact consistent with the United Nations Charter? "Atlantic pact viewed at UN as fatal blow," runs a banner headline in the Chicago Daily News of March 7, 1949, over a story from Lake Success written by their correspondent after extensive talks with UN officials, delegates, and newspapermen. The article says:

"The United States is throwing so much emphasis behind the proposed Atlantic Pact that, if continued, it could be a kiss of death for the UN, some fear. The United States may be giving lip service to the UN and its possibilities, but in reality it is selling the UN straight down the river. \* \* \* Unless the United Nations gets full and honest support from the United States and the other big powers, it will not survive."

While article 51, providing for regional defense pacts, was put in the Charter largely to accommodate the United States in regard to the Monroe Doctrine, article 53 specifically says:

"No enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council."

Felix Morley in the February 16 issue of Human Events writes:

"The Department of State is trying manfully to turn the Vandenberg resolution and article 51 of the Charter into two pillars for the support of the North Atlantic Treaty. It

can only be done by a *tour de force*. The projected treaty is clearly designed as a military alliance of some members of the United Nations directed against other members (the Soviet block) of the United Nations. And to assert that the UN Charter ever contemplated such a travesty is absurd on the face of it. \* \* \* Only Americans are fooled by our feverish effort to build an alliance against Russia "within the framework of the United Nations."

Can the United Nations be strengthened by dividing the world in half and arming one set of members—and nonmembers since Italy is still a nonmember—against another member or set of members, or can it be strengthened only by mutual disarmament and the development and revision of the UN to give it more moral and political power?

The United States is already spending a thousand dollars on its own armaments for every dollar it spends on the United Nations. Is it going to strengthen the UN by spending more money on armaments?

2. Can alliances keep the peace? Blair Bolles starts an article in the *New Republic* for February 21 by saying:

"The twentieth century diplomatic boneyard is littered with dead defense treaties that failed in their purpose. They did not prevent the outbreak of war, and once war came, they did not always insure victory. \* \* \* The inevitable consequence of this kind of treaty making is to provoke the other side to make treaties of its own. \* \* \* Nobody keeps the peace by an alliance race."

3. What may be the effect on Russia? Nobody knows. The natural thing will be for the Russians to interpret the arrangements as directed against them. It will tend to prey upon the fears of the Russian people regarding encirclement, to intensify their military preparations, and to increase their pressure upon neighboring countries like Finland. Is it not to be expected that the Russians will take counter measures internally and externally which will largely offset any apparent military advantage that might seem to accrue to the West?

4. What will the program cost? Official spokesmen for the North Atlantic Security Pact have been singularly reticent about the cost in terms of military supplies, money, or materials for a lend-lease military program to accompany the Security Pact, or its effect on the American Military Establishment. They have declared that the military assistance program would be modest and secondary to the economic recovery program, and that it should not compete with the recovery program.

However, according to the *Washington Daily News* for March 18, the United Press reports that "the administration plans to ask Congress to authorize a military lend-lease program to cost between \$1,000,000,000 and \$2,000,000,000 in the first year." Some estimates have placed the cost between fifteen and twenty-five billion during the next 5 years.

The military critic of *Figaro*, conservative French newspaper, as reported in the *New York Times* for January 28, asserted that it would cost \$15,000,000,000 to equip the French Army, plus the cost of reinforcing French fighter squadrons, let alone the French Navy.

The campaign to extend Selective Service in the United States beyond 1950 has already begun. Congress has been riddling the military authorization and expenditure ceiling proposed by the President.

Compare the above cost figures for a multi-billion rearmament program at home and abroad with the pathetically small investments which the United States makes in agencies of the United Nations—\$13,000,000 for the United Nations itself; \$1,250,000 for the solution of world hunger through the Food and Agriculture Organization; \$3,750,000 for "creating in the minds of men the de-

fenses of peace" through UNESCO; and other figures cited in previous Newsletters.

5. Are there any lessons from history regarding shipment of arms to other countries? There are several such lessons. Besides what we supplied during the war, the United States has furnished the Chinese Government about two billion dollars worth of military equipment and supplies (plus about a billion of economic aid) since VJ-day. It is estimated that about 90 percent of those military supplies are now in the hands of the Chinese Communists.

France subsidized heavily her military ally, Czechoslovakia, between the wars. Tanks, artillery and planes which France paid for and which were manufactured by Skoda, were seized intact by Hitler, and were used by the invading German Army to overpower the French in 1940.

The United States shipped 20,000,000 tons of scrap iron to Japan in the 1930's. Much of this was returned in shrapnel at Tarawa, Guadalcanal, and Okinawa.

When you put arms in the hands of another man there is no absolute guaranty that, if and when the arms are used, they will be pointed the other way. They may be pointed toward you. On the basis of the current situation, if there is not substantial progress in economic health and stability, can any one guarantee that Italy or France, for example, will not go Communist within the next 20 years and cease to be an ally?

6. Is the real threat to the West from Russia military or ideological? It is probably both. But the United States News and World Report for March 18, in a lead three-page story based on extensive interviews with top civilian and military officials at home and abroad, doubts that the Russians plan or want war in the immediate future. This would indicate that the present opportunity should be used for a determined and persistent effort to end the cold war and seek a series of settlements with the Soviet Union. Russian living standards are miserably low. The Russian people are war weary. The Russian economy is badly wounded.

Can the march of revolutionary communism be stopped by cold steel and bayonets? Whether we intend it or not, to seem to be on the side of the Dutch in Indonesia, or the French in Indochina, or to be bolstering up conservative regimes in Greece and Turkey is to fan the flames of communism. The conduct of the United States has to appear convincing to the hundreds of millions of people of color in Africa and Asia, to the people and countries that are being wooed or pressured by both the democracies and the Communists. Will more tanks and planes and bayonets shipped to France and Italy put food in the mouths of workers, build houses over their heads, divide lands held feudally or clerically, and instill democracy instead of communism?

7. What will be the effect on postwar recovery at home and abroad? Our own postwar readjustment is being delayed by the inflationary effect of \$15,000,000,000 spent from the Federal Treasury on armament, plus the increasing reliance of industry and labor on war orders. Add to these developments the growing restrictions on freedom, the increasing demand for military secrecy, the spy mania, the loyalty investigations, the pressure against discussion of controversial subjects, and the other human and spiritual costs to the American people.

To the extent that scarce resources and needed manpower are diverted to rearmament in Europe, to that degree will the needed restoration of factories, homes and goods be delayed for the welfare of the people of Europe, now subsidized by the United States at the rate of about \$5,000,000,000 a year through the Economic Cooperation Administration.

And are we to have a repetition of war scares to put the North Atlantic Pact through

Congress, with accompanying appropriations, such as we had to put over selective service?

#### AMERICA MUST CHOOSE

The people of the United States must decide whether they will subscribe to a semi-global arms pact and suicidal arms race, or whether their first allegiance and expenditures shall be for the United Nations and a world system of law and government. They must decide whether to encourage the broadening of the Truman doctrine of military intervention and world rearmament or press unrelentingly for a halt to the world arms race. They must decide whether to underwrite uncritically the continuation and intensification of the cold war or call for heroic efforts to negotiate a series of peace settlements with the Soviet Union.

We recognize the cruel dilemma which our State Department feels that it is in, with the fear and insecurity prevalent in Europe, with the pressure of Communist infiltration in many countries, with the difficulties of securing agreement with the Soviet Union over atomic energy control or UN security forces, the prolonged deadlock over Berlin, the Russian boycott of most UN specialized agencies and their recent withdrawal from the World Health Organization, the loss of freedom and liberty in eastern Europe, the unwillingness of the Russians to accept the principle of arms inspection, and other similar situations.

However, many Americans doubt that the United States has made a thoroughgoing effort to settle the Berlin blockade, or to modify the cold war. They look with apprehension upon the President's seeming unwillingness to talk to Stalin or suggest some counter proposal.

#### EXHIBIT I

[From the *Washington Post* of May 20, 1949]  
ATLANTIC PACT CALLED STEP TO NEEDLESS WAR

A meeting called by five noted Americans, including Albert Einstein and Thomas Mann, was told here last night that the Atlantic Pact is a step toward forcing this country into "a needless and criminal war" with Russia.

Dr. James W. Wise, son of the late Rabbi Stephen Wise, told a cheering Cosmos Club audience of 100 clergy, education and labor leaders gathered here from all parts of the country:

"American history will yet record that not we are disloyal but those who are trying to antagonize us and the Russian people and force us into a needless and criminal war."

"I do not whitewash dictatorships—I am opposed to them, whether in Stalin's Georgia or Talmadge's Georgia," Wise, a director of the Council Against Intolerance in America, declared. "We are not for Russia. But we are eternally against any military alliances which will provoke and hasten and make war inevitable. A pact of this kind is nothing less than a further step in support of dictatorships, of all forces stopping human progress throughout the world."

Wise was one of four speakers to address the meeting, at which Einstein was to appear but was prevented by illness, according to a conference spokesman.

Idea for the conference, "peaceful alternatives to the Atlantic Pact," originated at a meeting some weeks ago called by Einstein at his home in Princeton, N. J., the spokesman said. Other sponsors besides Mann include Emily Greene Balch, 82-year-old Nobel peace prize winner in 1946; the Reverend Edwin T. Dahlberg, executive secretary of the Northern Baptist Convention; and Bishop W. J. Walls, Chicago, Ill., of the A. M. E. Zion Church.

Of the initiators of the conference, which will continue in session today, only Miss Balch was present last night. She said that "the cards are very much stacked against us—at the last moment we are pulling ourselves together."



This sentiment was echoed by another speaker, Mrs. Alexander Stewart, president of the United States section of the Women's International League for Peace and Freedom, who said that the chances for killing arms implementation of the pact were much greater than for defeating its ratification.

The pact was described as "political folly" by the Reverend John Thompson, dean of the University of Chicago's Rockefeller Memorial Chapel. He blasted the State Department as "our sacred cow," and asserted that "the most serious lag in American life is the great lag between the people's will to peace and the policies of the State Department."

Hugh Bryson, head of the National Union of Marine Cooks and Stewards, characterized the pact as a treaty which "intends to extend the firing squad for those who go on strike to all of Europe."

#### EXHIBIT J

[From the New York Times of April 15, 1949]

#### RELIGIOUS LEADERS SEE PERIL IN PACT— TWENTY-TWO SAY ATLANTIC TREATY MEANS CONTINUANCE OF COLD WAR IN A DIVIDED WORLD

Twenty-two Protestant ministers and theologians issued a statement yesterday declaring that the Atlantic Pact means continuance of the cold war in a divided world and the likelihood of eventual disaster. The churchmen appealed for greater use by the United States of the United Nations and the exploring of the possibilities of negotiating peace with the Soviet.

The statement was released by the Reverend John Howland Lathrop, minister of the Church of the Saviour in Brooklyn, and Profs. Paul Scherer and W. Russell Bowie of Union Theological Seminary.

Called a Good Friday statement, it declared that the signers believe that it is time for the Christian church to take a decisive turn and instead of supinely underwriting national policy to set about creating a new spiritual climate.

Commenting on the Atlantic Pact, the churchmen asserted that they hoped that this threat of possible resort to war against Russia will end the danger of war but we need to face unflinchingly and honestly what are the instrumentalities with which the cold war is being waged.

"The adoption of the Atlantic Pact," the statement said, "means continued stock piling of atomic and biological weapons, continuance of peacetime conscription, increase in the already colossal arms budget, building a world-wide spy network, maintenance of military bases around the world, no relaxation in military influence of education, science, industry, and commerce, to say nothing of the periodic waves of national hysteria without which none of these measures could be maintained."

The other signers of the statement were: Charles F. Boss, Jr., executive secretary, World Peace Commissions, Methodist Church.

Henry J. Cadbury, Harvard University divinity school, and chairman, American Friends Service Committee.

Allan Knight Chalmers, Boston University school of theology.

Henry Hitt Crane, minister of Central Methodist Church, Detroit.

Edwin T. Dahlberg, minister of First Baptist Church, Syracuse, N. Y., and recently moderator of Northern Baptist Convention.

Albert E. Day, minister of Mount Vernon Place Methodist Church, Baltimore.

Phillips Packer Elliott, minister of First Presbyterian Church, Brooklyn.

Georgia Harkness, Garrett Biblical Institute, Evanston, Ill.

John Haynes Holmes, minister of Community Church, New York.

Charles W. Iglehart, Union Theological Seminary, New York.

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Paul S. Johnson, Boston University school of theology.

William E. Lampe, secretary, Evangelical and Reformed Church, Philadelphia.

D. P. McCreedy, minister of First Presbyterian Church (Southern), Clearwater, Fla.

Walter Mitchell, retired bishop of Arizona (Episcopal).

William Stuart Nelson, dean of divinity school, Howard University, Washington.

Albert W. Palmer, radio preacher, Los Angeles, and former moderator, Congregational-Christian Churches.

Edwin McNeill Poteat, minister of First Baptist Church, Raleigh, N. C.

Paul Roberts, dean of Christ Cathedral (Episcopal), Denver, Colo.

Ernest Fremont Tittle, minister of First Methodist Church, Evanston, Ill.

#### EXHIBIT K

#### WINNIE CLEARS IT WITH BARUCH

(By Jon Kimche)

LONDON, July 18.—British Cabinet members are greatly interested in reports of a forthcoming visit by Bernard Baruch to Premier Stalin.

Baruch's recent talks with Winston Churchill, and earlier reports of his intention to see Stalin, became major topics of conversation in the House of Commons lobbies when it became known that Churchill planned to make what he calls one of his most important speeches next-Saturday at Wolverhampton.

Officially, this speech will be the opening shot of next year's general election, and it will constitute the Conservative Party's first specific outline of its election program.

Churchill's friends, however, say his statement will contain dynamite for the Labor Government and that it will rock public opinion throughout the world. These close associates assert that he has been giving a great deal of thought to the problem of Soviet Russia and has decided on a fundamental revision in his attitude.

He discussed his plans with Baruch, these associates say, and won the full approval of the American for that reversal of his stand.

It is reported, in fact, that Churchill will come out with a proposal for a rapprochement with Russia and outline his suggestions for a settlement of the cold war. This, his friends think, would be an invaluable and perhaps decisive Conservative Party asset in the next election.

There is, however, still considerable guessing on how far he will go in view of strong opposition from a considerable section of the Conservative Party to such a switch in policy.

It must be emphasized that so far all this is not much more than lobby gossip, but Cabinet ministers are discussing it with an air of expectation and not with any skepticism.

The Government, indeed, is rather concerned with the possible effects of such a Tory tactic. They still hope they can forestall its effects by the large-scale trade agreement about to be signed in Moscow.

The British trade mission in Moscow has already signed the first part of the trade pact, affecting British imports of wheat, and is seeking to conclude the second part covering a wide range of machinery and manufactured goods for export to Russia. So great are British hopes that Harold Wilson, president of the Board of Trade, has cancelled his vacation and is staying on in London.

Mr. MAYBANK. Mr. President, even though a unanimous-consent agreement has been reached for a vote on Thursday, and any statement I might make would not delay these proceedings, I shall confine my remarks to an endorsement of

the pact and say that I shall cast my vote in the affirmative.

I have watched the struggle for some tangible plan for world peace since the end of World War I. As a young man I followed the formation of an ill-fated League of Nations. Despite President Wilson's warning, it was with sinking hearts that the veterans of that war realized the futility of this organization as new war clouds formed again over those same military camps which had so recently drawn us into a world war.

After those clouds broke and released their terror over the surface of the globe, we again emerged victorious in the armed fight and turned once more to a search for enduring peace.

During the last war I joined with other Senators in a tour of our Nations, making speeches in behalf of the so-called B2-H2 resolution which was the forerunner of the United Nations participation act.

Mr. President, I have supported these ideals in the belief that a workable detour could be found around the roadblocks in the path to enduring world peace.

While I cannot say the United Nations has failed in its purpose, I must charge the abuse of the veto with undermining the effectiveness of the organization. Now, in the Atlantic Pact we have an opportunity to make a concrete contribution to the cause of peace. This position is comparable, in the atomic age, to the stand taken by our forefathers on the Monroe Doctrine. We are simply extending that doctrine to our neighbor countries bordering the eastern and western shores of the North Atlantic and to Italy in the Mediterranean.

The list of signatory nations is incomplete. If the pact must stand, as it does today, I can only hope that it will be implemented in the near future. Because I know that still other nations are anxious to take part in such an agreement, I hope to see the signatures of such countries as Greece, Turkey, and Spain added to this pact which will play so vital a role in our plans for enduring peace.

Yes, Mr. President, I shall vote for Senate ratification of the Atlantic Pact, but I look forward to the day when I may be able to vote for a pact bearing the names of other nations which have served us in the past and stand ready to join forces with us today and in the future.

Mr. GRAHAM obtained the floor.

Mr. MAYBANK. Mr. President, before the Senator from North Carolina begins his speech, with his permission I should like to suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. GRAHAM. Yes; I shall yield. I am not suggesting it myself, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Brewster	Butler
Anderson	Bricker	Byrd
Baldwin	Bridges	Cain

Capehart	Jenner	Myers
Chapman	Johnson, Colo.	Neely
Chavez	Johnson, Tex.	O'Connor
Connally	Johnston, S. C.	O'Mahoney
Cordon	Kefauver	Pepper
Donnell	Kerr	Reed
Douglas	Knowland	Robertson
Dulles	Langer	Russell
Eastland	Lodge	Saltonstall
Eaton	Long	Schoeppel
Flanders	Lucas	Smith, Maine
Frear	McCarran	Smith, N. J.
Fulbright	McCarthy	Sparkman
George	McClellan	Stennis
Gillette	McFarland	Taft
Graham	McGrath	Taylor
Green	McKellar	Thomas, Okla.
Gurney	McMahon	Thomas, Utah
Hayden	Magnuson	Thye
Hendrickson	Malone	Tobey
Hickenlooper	Martin	Vandenberg
Hill	Maybank	Watkins
Hoey	Millikin	Wherry
Holland	Morse	Wiley
Humphrey	Mundt	Withers
Hunt	Murray	Young
Ives		

The PRESIDING OFFICER (Mr. McGrath in the chair). A quorum is present.

Mr. GRAHAM. Mr. President, because of the lateness of the hour, I should rather wait until I conclude my statement, before yielding for questions.

I wish first of all, as a freshman in this Hall, and as an amateur on this subject, to acknowledge the leadership of the able chairman of the Senate Foreign Relations Committee, the author of Senate Resolution 192, the senior Senator from Texas [Mr. CONNALLY], the valiant veteran of many struggles in the field of international relations, and his eloquent colleague the able senior Senator from Michigan [Mr. VANDENBERG], the author of Senate Resolution 239, two of the chief architects in the building of our American bipartisan foreign policy. I wish to acknowledge also my indebtedness to all those who have spoken in support of the pact, and all those who, in speaking in opposition to the pact, have contributed to its clarification.

In these critical times, the Senate of the United States, in recognition of its constitutional duty, owes it to itself to consider the present obligation and the long-range import of the Atlantic Pact. The people of the United States, in recognition of their responsibility of world leadership, owe it to themselves and the people of the earth to make clear what is in their minds and hearts, what are their determinations and hopes, as we, the representatives of the people, make one of the historic decisions of our time.

As I move here and there among the Americans of my day, I find in their minds and hearts certain articles of their common faith and hopes. They covet no land, intend no aggression, and plan no war. They hate aggression, abhor war, and want freedom and peace. In common with people in all nations, they want cooperation, communication, trade, and peace with all people. They had hopefully wished and still desperately hope for these things with the Russian people.

The love of the Russian people for their land, their all-out resistance to the powerful Nazi assaults, the dauntless heroism of the Russian armies and their decisive part in helping to win the war

in Europe, won the high admiration of the American people. The people of the United States, despite their rejection of the Communist ideology and their strong disapproval of the Soviet dictatorship, were hopeful of working out the basis for international cooperation with the Russian people and all other peoples through the United Nations. The Government of the United States went far in efforts for cooperation with the Soviet Union.

The Atlantic Charter and the United Nations gave the peoples of the earth new hopes for the "four freedoms," for the self-determination of peoples and for the continuation of the international cooperation for winning the peace. Because of the backwashes of a global war, the millions of people killed, the hundreds of billions of values destroyed, untold miseries, frustrations and other consequences of a global war, these hopes are far from fulfillment. Disillusionment and desperation are widespread across the world. The American people are aware of the shortcomings of their own democracy with its remnants of discriminations, bigotries, slums, denial of equal suffrage to many worthy citizens, a few surviving lynchings by mobs in the South and gangs in the North, low incomes in millions of homes with the largest proportion of children, unequal educational opportunities, and other injustices in which we all share, North, South, East, and West. Yet two large facts stand out:

First. The United States, with stupendous war-production plants and the mightiest fighting force, quickly mobilized most of its war plants and armies in the face of totalitarian armies which remain mobilized, larger than all the other armies of Europe and America combined; and

Second. The United States, with its vantage position of monopoly, supported the plan of the United Nations for the international control of atomic power.

#### THE HOPES THAT FAILED

After the First World War the United States renounced the League of Nations and failed the hopes of mankind. After the Second World War the Soviet Union has obstructed the United Nations and has failed the humane hopes of the peoples of the world. Upon the ruins and miseries left by the First World War the Fascist dictatorships hurried their monstrous power against the peoples of Europe, Asia and America. Upon the ruins and miseries left by the Second World War the Communist dictatorship organized its no less monstrous aggressions and subversions against the freedom and the dignity of the peoples of both the East and the West. Instead of the development, in accordance with the Charter of the United Nations, of the one world of the peoples' hopes, two conflicting worlds developed within the framework of the United Nations. We still fervently hope that the twilight of the cold war will not turn into the darkness of the unthinkable tragedy of a third world war. In the struggle toward the dawn we are groping for the free light and the fair balance of both per-

sonal freedom and international security. We welcome any suggestion of the Soviet Union toward the relaxation of international tension, but with a vigilance made necessary by cruel experience.

The responsibility for the resulting cold war will ultimately be judged by better-informed minds than my own. I am not unaware that America and the other democracies have some responsibilities for which they are answerable to themselves and the god of history. The frustrations and deficiencies of our own Nation and the other democracies, the corruption in China, the imperialism in the African, Pacific, and Asiatic world, are a part of the sins of the democratic world in which we all must share.

Yet it is written in the record that the Soviet Union, instead of continuing the Allied cooperation which won the war and could have won—and could yet win—the peace, disrupted this international cooperation; obstructed the purposes and possibilities of the United Nations; withdrew in isolation behind the iron curtain; broke the pledges for the self-determination of peoples; crushed civil liberties and the freedom of people to organize in churches, parliaments, corporations, labor unions, and cooperative societies; made more absolute the totalitarian dictatorship based on the oligarchy in the Kremlin, which draws its monopoly of power from a small political party which has liquidated all opposition; held more millions of dissenters, political prisoners, and laborers in concentration camps and in enforced bondage in 1949 than there were slaves in the Southern States in 1861; subjugated little nations by force, or threats of force; carried on internal subversions against the integrity and freedom of all nations; picked off nations, one by one, and locked them behind the iron curtain of the police state; carried on sabotage of European recovery; made war on religion; blockaded Berlin; and, in the midst of the world-wide fear of atomic bombs and the world-wide hopes for peace, rejected the United Nations' plan for the international control of atomic power.

#### THE BROKEN WORLD

Instead of the grand design for the translation of the cooperation of the Allied Nations for winning the war into the cooperation of the United Nations for winning the peace, this divided and broken world now carries the heavy loads, the disillusionments, and the strains of the unprecedented cold war in which we have neither the security of peace nor the actuality of war. The tragic fact is we have not one world but two worlds. Yet in loyalty to the hopes for the universal human brotherhood of our religion and the humane hopes of mankind, we must not give up the hope of one world through the principles of the United Nations. The two worlds must not become one world under a totalitarian dictatorship. With our faith in the oneness of freedom and peace, we do not want the one world developed after the model of the Pax Romana, or the Pax Britannica, or an American peace, or a totalitarian



peace. We do not want the one world under either an imperial or totalitarian domination. We need the one world of international cooperation of all nations for the freedom, equal opportunity, and peace of all people.

The totalitarian dictatorship has revealed itself not as a transition to freedom, cooperation, and peace, but as a fixation for expanding tyranny and power for the domination of both hemispheres. The Inter-American Treaty of Reciprocal Assistance, fully in accord with the Charter of the United Nations, was signed at Rio de Janeiro for "the maintenance of continental peace and security" and for "the strengthening of friendship and good neighborliness in the Western Hemisphere." The Asian Conference of the representatives of the peoples of southern Asia, Indonesia, and Australia, gathered at Delhi, at the call of Nehru, the great Prime Minister of India, within the framework of the United Nations, for the muster of moral opinion against broken agreements and attacks on the hopes of dependent peoples for liberation from imperial military power. The North Atlantic Treaty in its terms is an agreement, in accordance with the purposes and principles of the United Nations "to safeguard their freedom and common heritage," and for "the collective self-defense against armed attack."

The United States of America has accepted the responsibility of leadership of the free peoples of the earth. The Truman doctrine, retranslated in the Marshall plan, and the western union, expanded into the North Atlantic community, will, we trust, reinforce the universal pact of the United Nations for freedom and security, for international disarmament, and for amendments to the Charter to strengthen and fulfill the principle and purposes of the United Nations.

In a world situation, in which the veto and a policy of obstruction have weakened the United Nations, and in the European situation, in which defenseless nations were subjugated, one by one, by the aggressions or subversions of totalitarian tyranny, the western European nations drew together in the Brussels Pact, and the North Atlantic nations drew together in the Atlantic Pact for self-help and mutual defense. The pact must not only have the purpose to prevent war, but must also be the historic occasion for enlarging freedom and strengthening the United Nations.

The North Atlantic Treaty must not become merely another military pact which will recapitulate the story of alliances and counteralliances in a line-up for war. Against the possibility of such a tragic development, we must constantly hold before ourselves four objectives:

I. To keep the Atlantic Pact within the framework of the United Nations as the expression of the "inherent rights of individual or collective self-defense," recognized in article 51 of the Charter of the United Nations.

II. To support the Atlantic Pact (a) as a staunch deterrent to aggression and

war; and (b) as the basis for western European security and self-recovery.

III. To recognize the inadequacy of the pact and to make our Nation more democratic and more productive (a) for the well-being of all our people; and (b) for our economic and moral strength in the global struggle of ideas.

IV. To make the Atlantic Pact a buttress to the United Nations in a critical period during which steps can be more securely and hopefully taken looking toward international disarmament and the strengthening of the United Nations.

#### I. THE ATLANTIC PACT WITHIN THE FRAMEWORK OF THE UNITED NATIONS

Mr. President, the Atlantic Pact was negotiated mainly under article 51 of the Charter of the United Nations, which declares:

Nothing in the present Charter shall impair the inherent rights of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Article 51 is in chapter 7 of the Charter, which is entitled "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression." This chapter embraces articles 39 to 51, inclusive. Article 51, by its recognition of the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, is the main basis in the Charter for the North Atlantic Treaty for the collective self-defense of the North Atlantic community.

The inherent right of individual or collective self-defense if an armed attack occurs carries with it the inherent right of prior agreement for collective self-defense against aggression. Nations that have been given storm warnings that they are in the possible path of the hurricane may exercise an inherent right in making an agreement and plans for collective self-defense.

The North Atlantic community, though not organized as a subsidiary organ of the United Nations, nonetheless makes itself a part of the framework of the United Nations. The first paragraph of the preamble of the North Atlantic Treaty declares:

The parties to this treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

#### Article I says:

The parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

#### Article 3 affirms:

In order more effectively to achieve the objectives of this treaty, the parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

#### Article 5 provides:

The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually and in concert with the other parties, such actions as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

#### Article 7 declares:

This treaty does not affect, and shall not be interpreted as affecting, in any way the rights and obligations under the Charter of the parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

The distinguished chairman of the Senate Committee on Foreign Relations, the senior Senator from Texas (Mr. CONNALLY), has eloquently emphasized the fact that the provisions of this treaty do not include the colonial possessions of the member nations.

Mr. President, the Atlantic Pact, as shown by the excerpts I have just read into the RECORD, is explicitly interwoven with the provisions of the Charter of the United Nations. It is quite explicit in the North Atlantic Treaty itself that the pact is a collective agreement, not for aggression but for defense against aggression. For any nation to object to the expressed stipulations of this pact may be a confession on the part of that nation of an aggressive design or an imputation born of the potential frustrations of such designed aggressions. The world situation; the cooperation of the United Nations in winning the war; the Fulbright resolution, adopted by the House of Representatives; and the Connally resolution, which was overwhelmingly adopted by the United States Senate, were four of the sources from which came the United Nations. The European situation, article 51 of the Charter of the United Nations, and the Vandenberg resolution, adopted by the Senate by a vote of 64 to 4, are three of the sources from which came the North Atlantic Treaty.

The North Atlantic Treaty, as interwoven in the texture of the Charter of the United Nations, does not in its purposes undermine the United Nations. Vetoes and other obstructions have damaged the structure and slowed down the procedures of the United Nations. The

United Nations, with all its frustrations, has, through the constant vigilance of the Security Council and the world open forum of the General Assembly, at times focused international action and mobilized at times the moral opinion of mankind as a powerful influence for preventing local fires from becoming global conflagrations. The Atlantic Pact seeks to repair the damages and reinforce the structure, and does not impair the foundations upon which the structure of the United Nations stands. The Atlantic Pact can serve as a reinforcement of the United Nations in a crucial area for its transition through a critical period to a more effective fulfillment of its great purposes.

II. SUPPORT OF THE ATLANTIC PACT (A) AS A STANCH DETERRENT TO AGGRESSION; AND (B) AS THE BASIS FOR WESTERN EUROPEAN SECURITY AND SELF-RECOVERY

The Atlantic Pact must resolutely be supported as a stanch deterrent to aggression and war. The purpose of the Atlantic Pact is to serve clear notice on any potential aggressor that an attack on one member of the North Atlantic community is an attack upon all, and thereby to prevent any aggression against the North Atlantic community which would inevitably cause a third world war. As has well been observed by many Members of the Senate, if advance notice had been given, the Kaiser, in his day, and Hitler, in his day, that both the British Commonwealth of Nations and the United States of America would join the Allied Powers, each of them would, in his turn, have most likely refrained from the decisions which involved the nations in global war. The commitments in this pact are based on the principles and purposes of the United Nations. The risks involved in the ratification of this pact are much smaller than the heavy risks involved in the failure of ratification. The costs in material and arms which may proceed from the ratification of this pact are small, as compared with the heavy cost which might result from the failure to ratify the pact. The declaration in the Atlantic Pact that an attack on one will be an attack on all the members of the North Atlantic community, with its 350,000,000 people and its mighty resources of potential economic and military power, will be a constant deterrent to aggression.

This potential prevention of a third world war, which would kill scores of millions of people, destroy hundreds of billions of wealth, bankrupt the United States and all the nations, and leave the people hopeless amid the ruins of our civilization, is worth the cost of the support of the Atlantic Pact as a deterrent to war, and as a buttress to the United Nations.

UNILATERAL NATURE OF THE MONROE DOCTRINE ENLARGED IN THE EQUAL DIGNITY, MULTILATERAL PARTICIPATION, AND COLLECTIVE DEFENSE OF 21 AMERICAN REPUBLICS AGAINST AGGRESSION

It has been suggested that the extension of the Monroe Doctrine would involve less risk less costs and be more effective as a deterrent to aggression and

war. The nature of the Monroe Doctrine does not lend itself for an extension into the European situation. The Monroe Doctrine, as promulgated by President James Monroe on December 2, 1823, declared:

(1) "We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers (European) to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. . . ."

(2) "Our policy in regard to Europe, which was adapted at an early stage of the war which has so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers."

The Monroe Doctrine in its original form, is "the doctrine of two spheres." European powers must not intervene in American affairs, and the United States must not intervene in internal European affairs. The Monroe Doctrine, by its very nature, is a declaration against its extension into the internal affairs of Europe.

What is meant by the extension of the Monroe Doctrine? I clearly recognize, by the extension of the Monroe Doctrine is not meant the original Monroe Doctrine, but really the extension of a unilateral declaration against aggression without its implementation with arms, and without the assurance of collective action by a powerful combination of allies.

The Monroe Doctrine has been enlarged by the new doctrine announced at Chapultepec in 1945, implemented at Rio de Janeiro in 1947, and supplemented at Bogota in 1948. The unilateral nature of the Monroe Doctrine has been absorbed in the multilateral nature of the Treaty of the Americas, signed at Rio de Janeiro by 21 American republics which pledged themselves to international co-operation and collective defense against aggression. The more democratic structure and the greater power of the Pact of Rio de Janeiro make it a better example for the organization of the 12 nations of the North Atlantic area than the unilateral declaration of one nation. The developments of a century and a quarter have flowered in the organization of the continental solidarity of 21 American nations. We should not revert to the outmoded principles of the past, but depend on the multilateral principles of the present, in which the risks and costs are shared.

The Soviet Union has made unilateral treaties with each of its satellite dependencies. The satellites do not meet on a multilateral basis with the equal rights and equal dignity of the Soviet Union. The Soviet Union's system is somewhat analogous to the individual worker bargaining with a giant corporation.

The North American community is based on the freedom and equal dignity of multilateral and collective negotiations. The liberal traditions and the equal dignity of the North Atlantic democracies would resent the unilateral declaration of a sort of protectorate, as

the South American republics often resented the unilateral declaration of a hegemony in the Western Hemisphere of the great Republic in the North. The principles of international cooperation and declarations of mutual aid and collective self-defense contained in the Treaty of the Americas, the North Atlantic Treaty, and the Charter of the United Nations, are worth their costs in their possible immeasurable savings for the United States and for all nations.

With regard to the obligations which proceed from the ratification of the Atlantic Pact, each Senator, under the terms of the pact and the provisions of the Constitution of the United States, is free to answer that question for himself by his own vote. The characteristically forthright declaration of the able junior Senator from Oregon [Mr. MORSE] makes emphatically clear that, for him, it will be his all-out support of the pact. I join in his sense of moral obligation to support the pact with whatever means—moral, economic, and military—are found necessary and wise in the situation to make the pact effective as a collective deterrent to aggression. The fact that an attack on one is an attack on all, I recognize, gives the pact the support of tremendous collective power. The conditions of the world in general and of Europe in particular which brought into being the Atlantic Pact, constitute for me the obligation and the wisdom for supporting the North Atlantic Treaty with whatever is required to prevent the aggression which would cost a thousand-fold more in the lives, money, arms, and destruction of a third world war.

Failure to ratify and support the North Atlantic Treaty in the present situation would be a set-back for the western nations. The failure of ratification might become an invitation for the totalitarian dictatorship, now held in check, to advance again with internal subversion and external aggression. The danger is that we may get weary of the heavy economic load and the heavy moral responsibility of world leadership. The cold war with its burdens has been forced upon the democracies. To prevent the cold war from becoming a shooting war, we must now carry the heavy load of the Marshall plan, the prospective load of the Atlantic Pact, and share, perhaps, in some future plan for saving southern Asia from totalitarian tyranny, all to prevent a global war and save freedom in the world. For the United States to continue for a long period to carry alone these heavy loads would be to overstrain our economy and to undermine our social well-being. American economic collapse would be a major disaster for freedom on all fronts. Nevertheless, for America to throw down these burdens and abdicate her position of responsibility and leadership might mean the totalitarian domination of Europe and Asia, and then we would have an armaments race almost beyond our imagination. The cost of world leadership is heavy; the cost of abdication is heavier in the irresponsibility which would likely lead to a third world war, the bankruptcy of nations, the murder of millions, and the ruin of civilization. We



must staunchly support the Marshall plan, the Atlantic Pact, and the United Nations as the alternatives to the threatened loss of freedom and the totalitarian domination of the world.

VI. THE INADEQUACY OF THE PACT WITHOUT MORE FREEDOM AND MORE DEMOCRACY IN THE DEMOCRACIES FOR MORE MORAL POWER IN THE WORLD

The ratification of the Atlantic Pact within the framework of the United Nations and the support of the pact as a deterrent to war are not enough. America and the other democracies must be strong in economic and military power. America and the other democracies, however, for the long run, must rely more on the ideas of freedom and the practices of democracy than on economic and military power. The freedom and dignity of the human being, democratic ideas and moral idealism are the ultimate weapons in the global struggle against totalitarian tyranny. Hundreds of millions of suffering and bewildered peoples across the earth are choosing between the patient ways and frustrations of democracy on the one hand, and the irresponsible utopian promises of totalitarian communism, on the other hand.

The United States of America, in her position of world leadership must become more democratic at home for the saving of her own soul and for moral power in saving the freedom of the peoples of the earth. The great human freedoms for which the war was fought make dangerous lags out of the idea of the innate superiority of a master class, a master race, and a master state in our modern dynamic society. The transitions of modern history, partly impelled by the mariner's compass, as the heart of the great commercial revolution, which encompassed all the continents and all the oceans, and three centuries later, impelled by the power engine, as the pulsing heart of the great industrial revolution, which has flung its dynamic mechanical framework around the earth, were processes of slow centuries and gradual adjustments. Social drift and slow adjustment did not then, on such a scale as now, mean swift and global tragedy. Modern man, with his basic ideas, swift scientific inventions and his slow social adjustments, has, with much economic progress and much human misery muddled through to this fateful hour. Human society, with an atomic bomb in its bosom, cannot lag in adjustment to its explosive power. Equal freedom of assembly, speech, publication, and worship in our modern society needs the reinforcement of the equal opportunity to work, to know, to vote, and to bargain collectively. Increase of economic opportunity decreases social tension. The widening of enlightenment and the humane spirit, the inculcation of the ideals of our democracy, and the teachings of our religion, make for the elimination of social injustice and international conflict.

Among the presently feasible measures of adjustment in this atomic age for democratic morale in America and moral power in the world are: The elimination of economic monopoly for the resurgence

of the dynamic energies of free enterprise for abundant production and social well-being in our creative democracy; Federal aid to the States, without Federal control, for schools for the more equal opportunity of the children in all the States; decent minimum wages for industrial workers for spreading purchasing power, increasing business, and for giving more job opportunities; local, state, and federal cooperation in the elimination of the few lynchings by mobs in the South and the assassinations by gangs in the North; equality of bargaining power for labor and management; an expanding housing program for the elimination of slums and for providing decent homes for veterans and the people; abolition of the poll tax as a prerequisite for voting; faithful observance of State laws, without nullification by any State of the decision of the United States Supreme Court, regarding equal suffrage and education in the States as the supreme law of the land; local, State, and Federal cooperation in a comprehensive hospital, medical care, medical training, and medical research program to meet the urgent needs of the people; the National Science Foundation bill, to keep America at the farthest frontiers of science; the conservation of soils, forests, water power, and minerals as natural resources for the protection of our democratic heritage; the provision for sound agricultural parity, research, and extension for adequate production in a world in need of food and basic commodities; and the widening of the base of social well-being to lift the level of human liberty.

It cannot be emphasized too much that at the very center of the democratic cause in the struggle against totalitarian tyranny and world domination must be the freedom and equal opportunity of the individual. The spiritual heroism of the great souls who have fought and given their lives for the freedom of the human mind, the dignity of the human being, and the moral autonomy of the human spirit, have won for us the heritage of freedom, under whose American legacy we freely assemble in this Hall. By the Atlantic Pact we are making common cause for the defense of that legacy of freedom, which, through the United Nations, is shared as a part of the great heritage of the peoples of both the east and the west. The sacrificial lives of St. Francis, Joan of Arc, Florence Nightingale, Abraham Lincoln, and Gandhi reveal the unconquerable aspiration of the human spirit for a freer and better world. Idealism does not cringe before tyranny. Repression is the way of frightened power. Freedom is the way of enlightened faith. History teaches, beyond the denial of bigotry or the sneer of cynicism, that the answer to a difference in color or creed is not the Ku Klux Klan, is not tomatoes and eggs, is not a concentration camp; the answer to error is not terror, but the cleansing power of the light and liberty of the Bill of Rights and the Constitution of the United States of America.

Our western tradition of freedom, deposited in the American Bill of Rights and fortified by the ratification of the Atlantic Pact, is a spiritual synthesis.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. GRAHAM. I yield.

Mr. DONNELL. Will the Senator be kind enough to repeat the sentence with reference to the Bill of Rights?

Mr. GRAHAM. Our western tradition of freedom, deposited in the American Bill of Rights and fortified by the ratification of the Atlantic Pact, is a spiritual synthesis.

The constituents of the western heritage which is at stake in the present global struggle come from many sources. The Hebrews gave us the highest conception of the one God and a sense of moral sovereignty, the greatest Life, and the greatest Book. The Greeks gave the world the conception of man as a person of noble proportions and creative capacity in art, literature and philosophy; the Romans exemplified for western peoples a genius for organization, administration and law. The Catholics, who made the sackable city of Rome into the unsackable city of God, represent to us the unity of mankind and a universal sympathy for human beings everywhere as they bear the cross far and near with its call to heroism in the sharing and giving of life. Protestantism, from its seats in Germany and western Europe, gave a new emphasis to the freedom of the individual, his right of private judgment and direct communication with God, without mediation of king or bishop, and made over states and churches under the authority of God and in the name of the people. The struggles in the western European lowlands wrote some of the most heroic chapters in the history of liberty. The English Revolution of 1688, the American Revolution of 1776, and the French Revolution of 1789 opened the way for the rise of modern democracy. The Scandinavian peoples are among the most democratic in the present world. Our own fair land, with the vigor and variety of its differences, its composite richness of peoples, resources, regions, races, colors, and creeds and its struggles for liberty and equal opportunity, has given the world, for the composition of vast distances and differences, the federal principle on which is based: first, in the Constitution of the United States, the American Federal Republic; second, in the Act of Westminster, the British Commonwealth of Nations; and third, in the Charter of the United Nations, the beginnings of a world federalism for the prevention of war and the establishment of the rule of law. The traditions of all these peoples are a part of the common heritage of the North Atlantic community.

The ratification of the Atlantic Pact will strengthen the cause of freedom and peace in the midst of set-backs in many parts of the world. The bipartisan foreign policy of the United States, the European recovery program, the air lift to Berlin, the organization of the western German State, the western union, the democratic majorities in western Europe, the North Atlantic Treaty and the increasing Pacific-Asiatic consciousness of the need for solidarity against totalitarian aggression, all give new hope for saving freedom in a threatened world.

Valuable as is each one of these sources of hope, all combined are not sufficient for a global victory for freedom and peace. The promises of communism and the faults of freedom are loudly and continuously trumpeted to scores of hundreds of millions of people all over the world. The peoples of the earth need the moral dynamics of a fresh evangelism for freedom and democracy for their own great values and to offset the relentless dynamics of a fanatical communism. This is a global struggle for the possession of the mind and soul of man. We must look beyond the Marshall plan and the Atlantic Pact, vital and necessary as they are in holding the line, to make effective use of the time gained for enlarging freedom and strengthening the organization of justice and peace in the world.

The freedom of the human mind and the techniques of modern science have contributed greatly to the knowledge and progress of man, but deeply need an emphasis on the sovereignty of the moral law, humane values beyond science, ethical ideas above totalitarian power, and spiritual insights which will make for a deeper and wider synthesis—a new integration of ideas in the unity of learning, the unity of human personality, and the unity of mankind—one world, one family, and one God.

#### IV. THE ATLANTIC PACT, AN OCCASION FOR STEPS LOOKING TOWARD INTERNATIONAL DISARMAMENT AND THE STRENGTHENING OF THE UNITED NATIONS

The one world truly begins at home, but without a federated world we may have no home in which to begin. With the lag of the idea of the absolute national state in the atomic age, we may have no world in which to struggle or even to live. With regard to the other dangerous lags we have the freedom to struggle for freedom and hope for a better day. The atomic bomb in the hands of an absolute state is the greatest threat which can come to man. The organization of the idea, under God, of the oneness of freedom and the oneness of the human family in the United Nations, is our best defense and hope against modern civilization's power of self-destruction.

The ratification of the Atlantic Pact should be, at the earliest propitious time, the occasion for the strengthening of the United Nations through amendments to the Charter. I realize, of course, that there could be a tragic disservice to the cause of peace by a premature attempt to amend the Charter without more educational preparation of governments and peoples everywhere, and without improvements in relations between the great nations which are now beginning to develop from the present stanch position of the democracies. The abolition of the veto, with the necessary adjustments in the basis of representation, international inspection and control of atomic power, a world court with original jurisdiction over crimes committed by individuals against the United Nations, an international police force responsible to the United Nations, and proposals for international disarmament in the spirit of the farsighted statesmanship of Senate Resolution 239 of the last Congress,

and other significant resolutions pending before this Congress, including the resolution sponsored by 101 Members of the House of Representatives and including proposals which have been advanced for the present strengthening of the United Nations by measures short of amendments to the Charter, all these should be the subject of consideration by the member states of the United Nations in accordance with the Charter of the United Nations.

The United States of America, fronting the two great oceans and situated between the Asiatic and European worlds, the decisive factor in two world wars, with unparalleled agricultural, industrial, and scientific resources, and with the freshest heritage of freedom, has, by circumstance and by the responsibility of a great tradition, become the leader of the free peoples of the earth. The people of America can become simply another people who have come to power for privilege and domination or a great people who can become the leaders in a world transition to freedom and peace for all people. The historic political transitions of western peoples from Roman imperialism to medieval feudalism to modern nationalism can, we trust, in our time be carried forward by the leadership of the democracies away from dictatorship and world domination to the international organization of nations for the freedom and dignity of individual human beings and for justice and peace in the world.

America and the other democracies must take the initiative for the stronger organization of peace, even at the risk of war. Drift into war is suicidal in the atomic age. No people can live in isolation from the skies above, the seas around, or the continents beyond. The dynamic international economic framework, flung around the earth by the commercial and industrial revolutions, gathers up wars and depressions anywhere and involves people everywhere. The international political framework, reaching around the earth to include in time all the nations of the earth, needs moral powers and sanctions beyond its own for preventing wars and establishing justice among the nations. An idea, as old as 2,000 years and as young as the hopes of men, the idea of the fatherhood of God and the brotherhood of man, for which died the Founder of our religion, rejected these centuries as impractical and impossible, has become in the atomic age the most necessary and practical idea of all. The freedom, the dignity and the goodness of individual human beings in all nations constitute the basic condition for the world neighborhood of human brotherhood. The preservation of the heritage of the freedom of the individual in the North Atlantic community and the strengthening of the United Nations for the freedom and peace of all nations are steps toward a world neighborhood and are parts of the oneness of freedom and peace in the world.

May our country, with her legacy of freedom inherited from many lands, and with her abundant resources of a continent saved for the fresh peoples of the New World, not fail mankind in this

desperate but hopeful hour. Rather may America rise to the responsibility of her power and the opportunity for her greatness in providing the energies of food, the hopes of freedom, and the leadership in a stronger United Nations for justice and peace in the world, we pray God, in our time.

Mr. TOBEY. Mr. President, I have sat here for the last hour and, in my opinion, I have heard one of the finest addresses it was ever my privilege to hear on the Senate floor. The man who has just addressed us, the Senator from North Carolina, has, in my judgment, given a pattern, not for my party or for his party, but a pattern for America in the great objective and offensive toward world peace. I commend the man for his speech. Not only do I commend the man, but I commend his State for having given him to us as a Senator.

A moment ago the Senator used the expression, "lifting the level." I wonder whether the Senator has heard the expression used in Maxwell Anderson's play Valley Forge:

There are some men who lift the level of the age in which they live until all men stand on higher ground.

That is what is motivating the Senator's thoughts today, I am sure beyond peradventure, as he looks toward the vote which he is going to cast tomorrow.

I, too, shall vote for the Atlantic Pact. I shall vote for it with deep faith that it will be a voice of America speaking to a troubled world and giving it new faith and hope.

I wish to ask the Senator a question. He held before us in his talk this afternoon certain virtues, certain social accomplishments and objectives. I ask the Senator now this pertinent question, at least I think it is pertinent: Is it not the judgment of the Senator from North Carolina, who has just addressed us, that if this Nation of ours could put into effect and give new life to the program of social benefits for mankind which he enumerated, therein would lie the best antidote for communism, and give assurance that no foreign ideology could ever secure a foothold in this country? Is that not correct?

Mr. GRAHAM. Yes.

Mr. DONNELL. Mr. President, I ask the Senator from North Carolina if he will yield to me for a few questions.

Mr. GRAHAM. Yes.

Mr. DONNELL. I was very greatly interested, as was the Senator from New Hampshire, in the very beautiful and eloquent address delivered by the distinguished Senator from North Carolina. I notice his emphasis in the concluding portion, and at other places in his address, upon the idea of one God. I should like to ask him a question, and that is whether or not he knows if the word "God," or any synonym of Deity, was mentioned from the beginning to the end of the solemn ceremony of the signing of this treaty for 12 nations by 24 men, except the one concluding sentence or two in the remarks of the representative of the Netherlands, which reads:

And so with the humble prayer for God's merciful blessing, I declare the Netherlands



Government's readiness to sign this treaty for peace.

Does the Senator know of any other reference being made to the Deity in the entire ceremony except that one?

Mr. GRAHAM. I cannot say that I do, but I am sure that when they tried to prepare a treaty for the protection of freedom there must have pervaded them the spirit of brotherhood, the spirit of freedom, and the sense of moral responsibility under God, which comes from our religion in its basic idea that we are brothers of men and sons of God. To me that is the basic idea in the rise of modern freedom and modern democracy.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. GRAHAM. Yes.

Mr. DONNELL. I have before me what purports to be a copy of the addresses by the President of the United States and the foreign ministers at the signing of the North Atlantic Pact. I will not say it without qualification, because it is possible that I may not have observed it, but the only statement I have ever heard as to any mention of Deity having been made by any one of the participants in that ceremony was the reference made by the representative of the Netherlands. And I think that is a fact.

I desire to ask the Senator if he does not think it is rather striking, if my conclusion is true, that that is the only mention made of Deity? Is it not very striking if this is a searching toward the effort to secure one world and one God, that the participants in this enterprise should have failed even to mention Deity, let alone have any invocation or benediction on the occasion of the signing of the pact? Does not the Senator think that is quite significant?

Mr. GRAHAM. I was not aware of the circumstances at that time.

Mr. DONNELL. I was present during a large part of the time. I was not there for the immediate opening, but I am quite confident that the fact is there was no invocation, that there was no reference to Deity, certainly none that ever permeated my ears, so far as I can recall. I do not actually recall hearing the gentleman representing the Netherlands, but I have no doubt he made the statement as reported in the newspapers.

Mr. President, I really wanted to ask the Senator questions along somewhat different lines, in addition to this. I noticed with much interest that in his address, which has been delivered upon the occasion of our consideration of whether or not we are going to ratify the North Atlantic Treaty, which pertains to 12 nations, and the obligations of 12 nations, the Senator paid very strong, eloquent reference to the Bill of Rights of our country being fortified by ratification of the Atlantic Pact. Is not that correct?

Mr. GRAHAM. That is correct.

Mr. DONNELL. I ask the Senator whether or not in his mention of freedom of speech, equal opportunity to vote, the opportunity of bargaining collectively, the elimination of economic monopoly, Federal aid to the States for the schools without Federal interference in their

management, increased business, elimination of lynching, housing, equal suffrage, widening of the bases of social well being, or words to that effect he had in mind the fact that article 2 of the North Atlantic Treaty in providing the three methods by which the parties agree that they will contribute toward the further development of peaceful and friendly international relations, include, one, strengthening their free institutions? Did the Senator not have that particular portion of the treaty in mind?

Mr. GRAHAM. What I had in mind was that the pact is not enough by itself, regardless of what any particular article of the pact provides, and that we on our own responsibility, under obligations we have to the world as the leader of the free peoples of the world, must become more free and democratic in our own life.

Mr. DONNELL. And does not the Senator have in mind that article 2 of the North Atlantic Treaty by obligating the parties thereto to strengthen their free institutions, had reference to just such matters as I have enumerated?

Mr. GRAHAM. I should hope that we would, all of us.

Mr. DONNELL. It is not a mere hope. "The parties will contribute toward the further development by strengthening their free institutions," and so forth. That is the language of the treaty. The Senator from North Carolina agrees, does he not, that by that language just such items as he has enumerated and as I have just enumerated, are reasonably to be considered as being within the minds of those who drew the treaty? Is not that true?

Mr. GRAHAM. That is what is in my mind. What was in their minds I could not say.

Mr. DONNELL. The term "free institutions" would include such items as the Senator has mentioned?

Mr. GRAHAM. Yes.

Mr. DONNELL. The Senator may not have heard the remarks which I made on the floor of the Senate referring to the fact that we have already, to my knowledge, had either three or four bills introduced in the present session of the Senate, of the Eighty-first Congress, one of which distinctly mentions the obligations—and I emphasized the word "obligations"—under the United Nations Charter as one of the bases of the proposed legislation. That was the bill introduced by the Senator from New York [Mr. Ives]. Several others use substantially the same, if not identically the same language which was included in a bill he introduced in the Eightieth Congress. The word "undertaking" instead of the word "obligations" is used in three bills introduced by the junior Senator from Rhode Island [Mr. McGRATH].

Does not the Senator in his judgment think that if we shall ratify the North Atlantic Treaty, inasmuch as already in the Eightieth Congress and in the Eighty-first Congress distinguished Members of this body have presented proposed legislation based in part on alleged undertakings or obligations under the United Nations Charter, that it is reasonable to expect that in the preamble to similar legislation in the future there

will be added to it the obligations, the direct obligations, under the North Atlantic Treaty to strengthen the free institutions of the respective participants? Is not that reasonable?

Mr. GRAHAM. I am not a constitutional lawyer, but I have heard constitutional lawyers on this floor, and have also heard the senior Senator from New York [Mr. Ives] say that in his opinion constitutionally the ratification of the pact would in no way impair the present meaning of the Constitution of the United States.

Mr. DONNELL. I have not said that it would. I have not even remotely said that. The Senator agrees with me, does he not, that no treaty can repeal the Constitution of the United States, and that nothing in the case of Missouri against Holland even remotely holds that?

Mr. GRAHAM. Constitutional lawyers have said that on this floor, and I accept their view.

Mr. DONNELL. I take pleasure in being put in the class to which the distinguished Senator refers. I take that position. But if distinguished lawyers such as the former Solicitor General of the United States, the Senator from Rhode Island [Mr. McGRATH], introduced three bills, assigning as one of the underlying reasons the alleged undertakings under the United Nations Charter, is it not reasonable to suppose that when the North Atlantic Treaty shall have been ratified others, taking such facts as he has thus presented, will likewise use the North Atlantic Treaty as the basis for the legislation which they propose, and will do so even more cogently than has been done by previous introducers of legislation, because article 2 of the North Atlantic Treaty contains a direct, positive commitment, a promise, whereas the United Nations Charter contains nothing but expressions of resolution, desire, and intent? Is not that a perfectly reasonable statement?

Mr. GRAHAM. I do not doubt that those who introduce bills will bring to them all the sanctions they can gather from the four corners of the earth. For me there is sufficient sanction in the American Bill of Rights and the Constitution of the United States, and the American tradition of freedom and democracy, for improving free institutions, without having to go outside.

Mr. DONNELL. The Senator did, however, point out his gratification at the fact that the Bill of Rights of the Constitution is fortified by the ratification of the North Atlantic Treaty. Is not that correct?

Mr. GRAHAM. This is my idea—

Mr. DONNELL. Is not that correct?

Mr. GRAHAM. Freedom is at stake in the world. To me, collective defense against any potential aggression on the North Atlantic community is a defense of freedom in the Western World. Therefore, in my opinion, the ratification of the North Atlantic Pact will fortify freedom in the Western World.

Mr. DONNELL. Mr. President, will the Senator further yield?

Mr. GRAHAM. I yield.

Mr. DONNELL. I took down rather hastily a portion of the Senator's remarks. Not being a shorthand reporter, I may not have been entirely accurate. However, as I understood the Senator, he stated in substance that the North Atlantic Treaty does not in its purposes undermine the United Nations Charter. Did the Senator say substantially that?

Mr. GRAHAM. Exactly.

Mr. DONNELL. I should like to ask the Senator a question along that line. Has the Senator considered the testimony of the distinguished present junior Senator from New York [Mr. DULLES] before the Foreign Relations Committee, in which he pointed out the danger of this pact gravely impairing the usefulness of the United Nations? Does the Senator recall having read that testimony?

Mr. GRAHAM. I have not read it.

Mr. DONNELL. In order to place his statement before the Senator from North Carolina, I shall read briefly from the testimony. I am referring now to article 4 of the North Atlantic Treaty, which we have been told by the distinguished senior Senator from Michigan [Mr. VANDENBERG] does not even remotely contain a mandate. I submit most humbly that I do not at all concur. I think it does contain a mandate. It contains a promise, a definite commitment. It says:

The parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence, or security of any of the parties is threatened.

Again I borrow from the Senator from Michigan, in recalling that he stated that the circumference of the subject matter is unlimited. I invite attention to the following observation by the distinguished junior Senator from New York, and ask the Senator from North Carolina if he will be kind enough to state whether or not he concurs in this view:

Of course, with every great enterprise there are risks and disadvantages. I think these should be seen and not covered up, because the risks are of such a character that if seen they can be guarded against.

The language which I have just read is found at the bottom of page 342 of the record.

On page 344 he said:

Again, Mr. Chairman, the pact should not inaugurate a system of group consultations which would destroy the value of the United Nations as the town meeting of the world.

There are some who argue that the Atlantic Treaty violates the United Nations Charter. I see no merit in that argument, assuming, as I do assume, that the pact is not an artificial military alliance, but a stage in a process of natural political growth. The Charter cannot stop such growth, and it does not attempt to do so.

The pact might, however, gravely impair the usefulness of the United Nations if consultations under its article 4 committed the pact members, or crystallized their views, in advance of United Nations discussion. The risk is greater because the occasions for consultation under article 4 are not merely attacks in the Atlantic area dealt with by article 5, but threats anywhere to any of the parties. Since the parties have interests and possessions throughout the world, the consultations under article 4 might relate to

matters of deep concern to friendly nations of Asia, Africa, the Near East, the Pacific, and the Americas.

The United States does have a community with the west, but we have other communities as well and so many look to us for leadership that we ought not to seem to play favorites. Also, if we really believe in the United Nations, we shall, on matters which are within United Nations jurisdiction, give its processes an opportunity to influence our thought and conduct before making up our mind.

Does the Senator agree with those observations of the Senator from New York, to the effect that we must guard against danger under the pact, which as he says, might gravely impair the usefulness of the United Nations?

Mr. GRAHAM. I stand on what I said in my speech that the pact is not enough, but that we must be on guard to keep the pact within the framework of the United Nations, and that we must strengthen our own free institutions and insist on moral armaments in the cold war. We must use the pact not to undermine the United Nations, but to buttress the United Nations and gain time for steps toward amendments to the Charter which will make it a stronger concert of free peoples, and also a basis—I hope—for a call by our country for international disarmament.

Mr. DONNELL. Mr. President, will the Senator further yield?

Mr. GRAHAM. I yield.

Mr. DONNELL. I promise not to question the Senator indefinitely, but I should like to ask a further question on this very important point, as I see it. The Senator himself has stated that the North Atlantic Treaty does not in its purpose undermine the United Nations Charter.

Mr. GRAHAM. If I thought it did, I would vote against it. I do not think it does.

Mr. DONNELL. I ask these questions because there may be some dangers which the Senator has possibly not evaluated to be as great as some of the rest of us think.

Mr. GRAHAM. I recognize the dangers. When we read the Holy Alliance of the 1820's, we see nothing that is not beneficent in its language, but it became an instrument of reaction and of dynasties, rather than an instrument of free peoples. It threw its weight in the direction of the restoration of old regimes against the democratic institutions of that age. That was a misuse of the Holy Alliance. We do not want any misuse of the North Atlantic Pact.

Mr. DONNELL. It is possible that we may have it.

Mr. GRAHAM. All human institutions are subject to misuse and abuse.

Mr. DONNELL. Among the other possibilities pointed out by the Senator from New York [Mr. DULLES] in his testimony before the committee is that there is a danger in the possibility of using this pact as a military organization. Does the Senator remember the point he made, or has he read the testimony?

Mr. GRAHAM. Even without reading it, I admit that there are dangers in the instrumentalities employed by any group of people or any group of nations. It

depends on what they do with their instrumentalities.

Mr. DONNELL. If the Senator will yield for a further question along this line, the distinguished Senator from Florida [Mr. PEPPER], speaking on June 11, 1948, on the subject of Senate Resolution 239, made the following statement, as found on page 7824 of the permanent RECORD:

One of the principal causes of the failure of the League of Nations was the fact that the authority, the prestige, and the power of that organization were undermined and destroyed—

He used the same words as were used by the Senator from North Carolina—

by various collateral agreements, pacts, and understandings which were entered into by the member states.

There was the Locarno Compact, and various other compacts, entered into by states outside the League of Nations organization—

I pause to state that my understanding of the statement of Dr. Wilcox is that Germany participated in the Locarno Pact, although it was not a member of the League of Nations, but that participation was also had by Great Britain and other nations which were in the League of Nations. I take it I am correct in that statement. The Senator from Florida said:

One of the principal causes of the failure of the League of Nations was the fact that the authority, the prestige, and the power of that organization were undermined and destroyed by various collateral agreements, pacts, and understandings which were entered into by the member states. There was the Locarno Compact, and various other compacts, entered into by states outside the League of Nations organization, attempting to preserve peace by alliances rather than by collective security, thus undermining the foundations of the League of Nations.

Mr. President, the same kind of action would undermine the foundations of the United Nations. I believe, therefore, that when we see that such action is a threat to the success of the organization, we should not encourage by our advice or recommend a process that will inevitably have that effect.

Does the Senator agree with those observations?

Mr. GRAHAM. As I recall, not from any present familiarity with those pacts, those meanings became the real meanings; Geneva was not the real meaning. Of course, such abuse can happen at any time. But in my opinion, the inter-American treaty, the Asian conference, and the North Atlantic community are to be buttresses to the United Nations, and are not even to bypass or impair, much less to destroy, it. They are to repair, not to impair.

Mr. DONNELL. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. GRAHAM. I yield.

Mr. DONNELL. There are, so Dr. Wilcox advises me, 59 nations signatory to the United Nations, and 47 of them are not in the North Atlantic Treaty. Does not the Senator from North Carolina agree that there is at least a possibility that if consultations between the 12 na-



tions signatory to the North Atlantic Pact became frequent, a bloc would be created and might easily result in jealousies, anger, conflict, and possibly even a complete break-down of the United Nations, on the theory that one little group of states or nations was usurping the organization?

Mr. GRAHAM. That would depend upon what was in the hearts of the representatives of the various governments. If they met in the spirit of the Charter of the United Nations and of the Atlantic Pact, they would meet to strengthen the United Nations, not to undermine it. However, as the Senator from Missouri knows, a pistol can be used by a policeman for peace and order, or it can be used by an irresponsible person for murder or crime.

To my mind, those who drew the North Atlantic Pact had in their hearts, and put it down in black and white, the reinforcement of the United Nations. I know one can read between the lines things that are not there; but, as the Senator from Missouri fears, things might come there. Yet in the explicit language of the North Atlantic Treaty, it is dedicated to the purposes and principles of the United Nations, the reinforcement of the United Nations, the buttressing of the United Nations, not the undermining of the United Nations.

Mr. DONNELL. Does the Senator from North Carolina agree with this observation by Mr. Halford L. Hoskins, senior specialist in international relations, Legislative Reference Service, Library of Congress, written in 1949:

The motives and purposes that bring sovereign states into alliance are never uniform for all members of the pact. Consequently, one member or another of an alliance formed originally for defensive purposes may not infrequently employ the relative security supplied by the joint association to pursue unworthy objectives which could not safely be undertaken from an isolated position.

Mr. GRAHAM. I should like to supplement that observation by stating—

Mr. DONNELL. Pardon me; does the Senator agree with that observation?

Mr. GRAHAM. That is stated as a possibility. Of course, if you were to talk about possibilities, we could never get together about anything; we could not have formed the United States of America because of some possibility that some of the member States might engage in aggressions against each other or might violate the Constitution of the United States or what not.

This is what is in my heart: To my mind, in the present world situation of international tension, with the threat of totalitarian tyranny, now held in check on the western front by the staunch opposition of the democracies, the North Atlantic Pact gives to the world time and some sense of security to do the great things set forth in the Charter of the United Nations. It provides time to enable amendments to the Charter of the United Nations to be considered, for steps to be taken toward universal disarmament, and to make the United Nations actually what its ideals are.

Mr. DONNELL. Mr. President, will the Senator yield very briefly for a ques-

tion which brings me to the last point I had in mind inquiring about?

Mr. GRAHAM. Yes.

Mr. DONNELL. I ask whether the Senator believes I am correct in understanding or inferring that he favors the view that ratification of the North Atlantic Treaty would be a step in the direction of a federation of the free nations of the world.

Mr. GRAHAM. In this way: The larger sense of security that thus comes to western democracies gives them, in my opinion, a more likely opportunity to move toward amending the Charter of the United Nations than they would have without the security which the North Atlantic Pact gives them, for otherwise they would be kept in a state of jitters, worry, and concern about their future. The North Atlantic Pact, by providing such an intermediate period of greater security, in my opinion gives those who believe, as I do, in making a stronger United Nations, more opportunity and more hope about making the United Nations, through amendments to its Charter, what men have been dreaming it actually would become.

Mr. DONNELL. Then, am I correct in my understanding that the Senator from North Carolina favors ratification of the pact because, among other reasons, he believes it is a step toward something along the line of what Judge Patterson, Justice Owen J. Roberts, Mr. Clayton, and the distinguished junior Senator from New Jersey [Mr. HENDRICKSON] advocate, namely, a federation of states of the world?

Mr. GRAHAM. I am for the resolution which already has been introduced by 101 Members of the House of Representatives. That shows where I stand.

Mr. DONNELL. That is a resolution for a federation of the world or a federation of free nations. Is that the general idea?

Mr. GRAHAM. Its real purpose is to prevent war and to establish the rule of law; and that is the purpose of the United Nations.

I think we sometimes are unfair—I am, myself—to the United Nations, in thinking that this child in swaddling clothes can realize all the objectives stated in the preamble of its charter and in its declaration of purposes and principles. We have to give this child, that is crawling now, an opportunity to stand up and grow.

In my opinion the Atlantic Treaty will permit the United Nations to gain time on its way toward maturity.

Mr. DONNELL. The resolution introduced by 101 Members of the House of Representatives—

Mr. GRAHAM. I am for that.

Mr. DONNELL. Provides for a federal union of the states of the world. Is that correct?

Mr. GRAHAM. Through the Charter of the United Nations—not bypassing it or going around it or going under it, but going through it.

Mr. DONNELL. In other words, it provides for a federal union of states, acting through the United Nations?

Mr. GRAHAM. That is correct.

Mr. DONNELL. I thank the Senator from North Carolina and the Senate.

Mr. DONNELL subsequently said: Mr. President, I ask the Senator from North Carolina [Mr. GRAHAM] if he will be kind enough to attend for just a moment. The Senator from North Carolina, in his most interesting address, referred to a House concurrent resolution which had been submitted in the House of Representatives recently by, as he stated, 101 Members of the House. I have before me a letter dated June 10, 1949, from the Honorable Brooks Hays, Member of Congress from the Fifth Congressional District of Arkansas, with which he includes a copy of a press release containing a text of proposals and a list of Representatives sponsoring the concurrent resolution. He states it is a group of 91 Members of the House of Representatives. I have shown the Senator from North Carolina a copy of House Concurrent Resolution 64, submitted on June 7, 1949, by Mr. HAYS of Arkansas, which is contained in a booklet sent out by Mr. HAYS, or bearing Mr. HAYS' insignia at any rate, and I ask unanimous consent that a copy of this resolution may be set forth immediately following the colloquy succeeding the address of the Senator from North Carolina.

The PRESIDING OFFICER (Mr. HOEY in the chair). Without objection it is so ordered.

The concurrent resolution (H. Con. Res. 64) is as follows:

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that it should be a fundamental objective of the foreign policy of the United States to support and strengthen the United Nations and to seek its development into a world federation open to all nations with defined and limited powers adequate to preserve peace and prevent aggression through the enactment, interpretation, and enforcement of world law.*

Mr. LUCAS. Mr. President, before I commence to read the manuscript which is before me, I desire to associate myself with the distinguished Senator from New Hampshire [Mr. TOWSE] in the tribute which was paid to the distinguished Senator from North Carolina [Mr. GRAHAM], for the scholarly, penetrating, and magnificent address he delivered upon the treaty now before the Senate. I should also like to congratulate him upon the manner in which he answered the interrogatories of the distinguished Senator from Missouri [Mr. DONNELL].

In view of the questions which were propounded to the Senator from North Carolina by the Senator from Missouri, it is difficult for me to understand how the able Senator from Missouri could ever have voted in the United States Senate for any agreement dealing with international relations, for there never has been considered by the Senate an international agreement which did not permit of all the doubts, possibilities, probabilities, and speculations about which the Senator from Missouri is so alarmed at this particular time. Certainly there were more doubts as to the success of the United Nations organization, which have proved to be well founded, than are justified, in my opinion, about the success of the North Atlantic Pact which is now under consideration.

Mr. President, in this hallowed Chamber of time, great Senators of yesterday

laid the foundation for the unabated success and glorious achievements of this dynamic Republic. Most of these public servants were of heroic mold, endowed with rare courage, profound wisdom, and prophetic vision. As legislative pioneers in a new world, they followed a bold and resolute course. The Monroe Doctrine, which was considered within these walls, is a classical example of their firm determination to protect and advance the democracy of mankind at all costs.

We are now approaching another decisive hour in the history of the Senate and in the history of the world. During the last 2 weeks we have heard brilliant, cogent, and persuasive arguments on a treaty that was born out of necessity in the further development of a sound and progressive American foreign policy.

It goes without saying that all Senators have studied this agreement between nations of the North Atlantic communities. We have listened to the learned members of the Senate Foreign Relations Committee, at whose hands the pact underwent painstaking examination and analysis, first during the drafting work itself, and again since 12 nations have affixed their signatures.

We have heard also the honest doubts of those who fear the pact will not accomplish its declared purpose, but rather will lead the United States into danger abroad and economic disaster at home. And we have noted the apprehensions of Senators who question whether this document fits properly into the framework of our foreign policy.

For myself, at least, Mr. President, I have resolved all doubts. In my opinion, the North Atlantic Pact will operate as a powerful instrument against aggression. Like the Marshall plan and other phases of our foreign policy, it is another calculated risk. I am willing to drop the ancient moorings of another day and take that risk. I am certain this defensive alliance will diminish the danger abroad and at the same time will not seriously impair our economic position at home.

I have an honest conviction that this treaty fulfills and advances basic and fundamental precepts of American foreign policy. We who support this pact believe it will become another pillar in the security of the free world.

Mr. President, only in a world of peace can the inalienable rights of mankind to life, liberty, and the pursuit of happiness be maintained and exercised, and, parenthetically, only in a world of freedom can peace be maintained in the age of today.

The North Atlantic Pact, I am convinced, will work for the attainment of these noble and humanitarian objectives. In the early days of our Republic, peace was obtainable in the process of one nation's remaining aloof from all foreign quarrels, and freedom was the product of truly democratic government. Since those times, differences between nations have shifted from battlefields, near or distant, into an orbit from which no country can remain apart.

The ratification of the pact will implement the Marshall plan and other segments of our foreign policy. It will give the free peoples of Europe another great

lift in morale. It will be another persuasive argument among these people that America is creating a progressive and firm foreign policy which measures up to the world responsibilities which have been thrust upon us.

Ratification of the pact will further discredit the ideology we call communism which has been pushing hard and steadily to wipe out human freedom everywhere. As an example of this tremendous effect of the pact upon European morale, I would cite the recent observation of foreign correspondents in France who have found that the number of enrolled Communists has declined since it became evident that the pact would become a reality. Many of the people who joined the Communist Party in France and other nations did so because they desired protection in the event of Soviet aggression.

In the North Atlantic agreement we of America join other democracies to form a unified foreign policy against external tyrannies aimed at the subjugation of human rights. In this historic document we create for democracy a regional democratic front and say to would-be aggressors, "We democracies stand for peace and human freedom; any major attack upon one of us will be considered as an attack against all."

Mr. President, the pact is another long stride toward the two fundamental objectives of foreign policy. Since the dawn of our independence those objectives have been peace and freedom. Throughout our history we have poured forth our blood and treasure to strengthen both. It is only when freedom has been threatened that Americans have been willing to give up peace temporarily in order to maintain and defend their freedom. Peace and freedom are not only our fundamental objectives, they are the trend of history. I have no sympathy for those who before or since the last war accept the idea that democracy is decadent and that only dictatorship has the strength to survive. Our glorious past should be the complete answer to such irresponsible arguments.

Hitler and Mussolini declared that the democratic peoples had lost the will to fight and were rotting at the core. Those dictators are dead and their systems of government have crashed in ruins. The democratic world has proved its strength, vitality, and ability to survive whatever threats it may encounter. We will continue to try by every means at our disposal to surmount any threat to our security by peaceful means. However, we remind any aggressors who have world domination in mind through the strength of the sword or otherwise to remember the fate of all dictators whose aggressive ambitions have led to their ultimate banishment or a dishonorable grave.

Mr. President, in 1945 no one anticipated the need for a North Atlantic Pact, the Marshall plan, or the Truman Doctrine, because in that year the American people accepted wholeheartedly and with high hopes the obligations of the United Nations Charter. We continue to look to the United Nations as the world's great hope for the future.

Unfortunately the forces to which freedom is anathema have sought to weaken the United Nations to serve their own evil imperialistic and ideological ends. They have constantly sought to block constructive and just settlement of disputes and profit by dissension and unrest.

It has become increasingly necessary for the United States as the citadel of freedom, to act both within the United Nations and in support of it to strengthen the forces of freedom in other parts of the world. In recent years such action has played an increasingly vital part in our foreign policy.

We have made clear to the world that we would not countenance the subjugation of the countries in the Middle East. As an example, we proclaimed firmly that we would not permit Turkey and Greece to be overrun, and we have given them a measurable amount of assistance for their defense.

We have made great sacrifices to help rebuild the economic structure of free Europe, to restore its basic economic health and maintain its stability, in order that the forces of evil might be checked in their efforts to profit from hunger, misery, and despair.

These have been nonpartisan measures so far as we were concerned. The issues are too fundamental, too vitally American, to be decided along partisan lines. The measures taken have had the full support of the vast majority of both our major parties. Opposition to them has come from some who were wholly sincere but most forcefully from those who, designedly or unwittingly, serve the ends of those who would destroy freedom.

The North Atlantic Pact is a further vital step in our efforts to strengthen peace and freedom. It, too, has been nonpartisan from its inception in Senate Resolution 239, offered by the Senator from Michigan [Mr. VANDENBERG], to its conclusion through the unanimous report of the Foreign Relations Committee. This is nonpartisan foreign policy at its best.

Yes, Mr. President, it is America in a world of turmoil, struggle, and strife, operating at her best, because our security, our homes, our lives and our fortunes, are all involved.

In accordance with our basic objectives and with long established American tradition, stemming from the Monroe Doctrine, the Pact makes clear American determination to defend peace and freedom against attack from any quarter in the North Atlantic area. In the world of today there are no victors in war. There are survivors and vanquished, but all are losers. Victory today can be achieved only by preventing war from starting. What we must seek, and what we do seek in the pact, is victory over war itself.

We who uphold and defend the forces of freedom and the dignity of man must keep ourselves united and strong.

There must be vigilance. There must be vision. There must be courage. We must demonstrate to the world collectively and decisively that we propose to resist the attack of any aggressor.

Only by doing so can we avoid war. Only by doing so can we keep the torch



of freedom burning until its light penetrates the darkness behind the curtain, and the freedom which all people everywhere so fervently desire can burst the deadly chains of tyranny.

Let me say one final thing, Mr. President. Let me beg my distinguished colleagues to remember that the forces of freedom and the forces of tyranny are struggling for supremacy at this momentous hour. Let me remind every Senator in this historic Chamber that the fate of all free men may rest upon our vote on the North Atlantic Pact.

Remember, we are architects of the pact. Our diplomats labored to create it. Our Foreign Relations Committee studied it, pondered its meaning, and approved it with one unanimous voice.

If we now fail to ratify this agreement, Mr. President, if we turn our backs on the people of the western European countries, the suffering people who have pledged their lives and fortunes in this great international endeavor with us, the people who look to us for leadership—if we should betray our obligations, disavow the declarations of our President and our Secretary of State, disregard the unanimous report of a distinguished Senate committee, adopt reservations or amendments which would repudiate the pact, what would happen to the world?

I submit that the morale of the people of the western democracies, who are making a valiant fight toward economic, social, and political recovery, would be totally shattered. Within 1 year to 18 months, the gates of western Europe would be opened to the hordes of communism.

Failure to ratify this pact would place us upon the shortest road to war and bankruptcy. Failure to ratify this pact would destroy the towering structure of our bipartisan foreign policy. Failure to ratify this pact would make a mockery of the valiant deaths of freemen who fought for the peaceful ideals of mankind and the future of our civilization.

Mr. President, if we do not give our approval to this pact, it will be the beginning of the end of the effectiveness of the Marshall plan and our aid to Greece and Turkey. If we do not approve it, we may as well prepare to withdraw into the Western Hemisphere and build a wall of isolating steel around America. But we cannot do that, Mr. President. We cannot turn back. We dare not return to the dangerous doctrine of isolationism. We are committed to a course of world responsibility. We have chosen the right path, the sure path of mutual aid, and we must press forward to our rendezvous with destiny in a world of peace.

Mr. WATKINS. Mr. President—

Mr. SCHOEPEL. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. SCHOEPEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Donnell	Graham
Baldwin	Douglas	Green
Butler	Dulles	Hayden
Capehart	Eastland	Hendrickson
Chapman	Fear	Hickenlooper
Connally	George	Hill

Hoey	McFarland	Smith, Maine
Holland	McGrath	Sparkman
Humphrey	McKellar	Stennis
Ives	McMahon	Thomas, Utah
Johnson, Tex.	Malone	Thye
Johnston, S. C.	Martin	Vandenberg
Kerr	Maybank	Watkins
Knowland	Mundt	Wherry
Lodge	Murray	Wiley
Long	Neely	Withers
Lucas	Russell	Young
McCarran	Saltonstall	
McClellan	Schoeppel	

The PRESIDING OFFICER (Mr. HOEY in the chair). A quorum is present.

Mr. WATKINS obtained the floor.

Mr. BUTLER. Mr. President, will the Senator from Utah yield that I may have something inserted in the RECORD?

Mr. WATKINS. I ask unanimous consent that I may yield for an insertion, without losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Nebraska is recognized.

Mr. BUTLER. Mr. President, I have in my hand an editorial from the Omaha Evening World-Herald of July 18 bearing on the subject under debate. I ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### ARTIFICIALLY ALARMED

In his first speech in the Senate last week, JOHN FOSTER DULLES made an amazing revelation. Reporting on the recent Conference of Foreign Ministers at Paris, which he attended as a delegate, Senator DULLES said:

"At Paris last month there was discussion as to whether to accept at all the Soviet proffered truce and to resume, even on a tentative basis, four-power consultations. Some feared that any relaxation of east-west tension would bring a corresponding relaxation on the part of the American people and that they should artificially be kept alarmed."

This statement was later confirmed in its entirety by Secretary of State Acheson. According to press dispatches from Washington, "he agreed with Senator DULLES that the United States delegation . . . had considered whether the American people should be kept artificially alarmed, and had rejected the idea completely."

There you have it. Some of those hired by the American people to represent them at Paris wanted to deceive their employers. Wanted to deceive them, because the truth might make them less manageable, less complaint, less willing to follow the policies which the some favored.

What, specifically, were the policies which the "some" felt would be endangered if the truth became known?

Neither Senator DULLES nor Secretary Acheson answered that question. But it is fair to presume, we think, that the "some" had in mind the whole fabric of America's foreign policy and the domestic policies which bear on it. In other words—the Atlantic Pact, the arms-for-Europe plan, the ECA program, and the \$15,000,000,000 appropriation for defense.

All of those big-spending plans might have been deemed to be in jeopardy if the American people were permitted to hear about the relaxation of east-west tension.

Now comes the jackpot question: Who were those "some" who wanted to keep the American people artificially alarmed?

Secretary Acheson, as head of the delegation, had three principal advisers: his alternate, Philip C. Jessup, his counselor, Charles E. Bohlen, and Mr. DULLES.

The fact that Mr. DULLES and Mr. Acheson confessed what happened tends to exonerate them. As for Mr. Jessup and Mr. Bohlen, they are Mr. Acheson's subordinates and it is hard to believe that either of them would have advocated such a disreputable and dishonest course, against their boss's opposition. That leaves only one official unaccounted for—the man who wasn't there.

His name is Harry S. Truman.

Mr. Truman took an unusual, personal responsibility in connection with the Paris conference. After previous Big Four meetings it had been customary for the Secretary of State to report directly to the American people. But that wasn't done after the Paris meeting. Mr. Truman himself, who wasn't there, made the report.

In his formal statement he was cool and perfunctory in his acknowledgment of the delegation's good work. He was hostile toward Russia. He said the Soviets had sought "a return to Potsdam and its system, which the Russians had made unworkable by their misuse of the unlimited veto." He said they were to blame for the failure to bring about real German unification.

But above all, he said—and this was the kernel of his statement—the results of the conference revealed "the correctness" of American foreign policies. He called on the people to adhere to those policies "with calmness and determination."

In effect, he said to the American people: Don't be fooled by Russia's termination of the Berlin blockade; conditions are still tough; we've still got to spend and spend, in the sweet name of world peace.

If the President did not inspire the "some" who wanted to keep the American people "artificially alarmed," at least his thinking was not appreciably different from theirs.

Dictators, as they seek to dominate the actions of their citizen-serfs, find it necessary also to dominate their thinking, usually through lies.

Hitler had to have his Goebbels.

Stalin could not keep Russia under his thumb without the help of Pravda, Izvestia, the Red Star.

So far as we are aware, this is the first time that an attempt to manage the thinking of the American people by falsification has been officially confessed.

"Those" who took part in the plot should be revealed by name. If President Truman disagrees with their aims, he should demand that they be exposed and driven out of public office. If he does not disagree, then Congress should take the lead.

The issue raised by Senator DULLES' brief remark transcends in importance the issue of ratification. For if the Goebbelses who want to keep the people "artificially alarmed" are allowed to remain in office, and to grow in influence, there is small chance that the Pact or any other scrap of paper will put the Republic on the road to peace.

Mr. WATKINS. Mr. President, most of the discussion of the Atlantic Treaty for the past week has been directed to article 3 and its interpretation. The problem presented has been whether or not it commits the United States either morally or legally to furnish arms to other allies named in the treaty.

Hundreds of thousands of words have been spoken by the various members of the Senate who have discussed this particular article and the treaty is general. The time that has been given this article of the treaty has more or less diverted attention from what, to my mind, is a much more important article, to-wit, article 5.

I intend to discuss article 5 and the reservation which I propose shall be

made a part of the resolution of ratification. This reservation will be directed to the meaning of article 5. For the benefit of those listening, and particularly for the benefit of those who may read what I shall say, I now quote in full article 5:

The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually, and in concert with the other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Mr. President, on June 1, I discussed this article and what I thought it meant. I quoted a number of authorities who had been presenting their views on this article before the Foreign Relations Committee when hearings were held last month. At the conclusion of that speech I informed the Senate that I would propose a reservation in two paragraphs to this particular article. I shall offer these paragraphs in separate reservations when the Committee of the Whole has been lifted and reservations are in order.

The reservation which I proposed apparently was not read by very many Members of the Senate. I am led to believe this because of the number of questions that have been propounded by other Members of this body on this particular reservation.

The reservation should have been stated in the early part of the speech. Then it might have been read. To be sure it will receive some consideration and at least will be heard and read by Members of this body, I now quote the reservation to article V which I shall formally propose in two parts to this body at the opportune moment:

#### PART A

The United States understands and construes article V of the treaty as follows:

That the United States assumes no obligation to restore and maintain the security of the North Atlantic area or to assist any other party or parties in said area, by armed force, or to employ the military, air, or naval forces of the United States under article V or any article of the treaty, for any purpose, unless in any particular case the Congress, which under the Constitution, has the sole power to declare war or authorize the employment of the military, air, or naval forces of the United States, shall by act or joint resolution so provide.

#### PART B

The United States further understands and construes article V as follows:

That in any particular case or event of armed attack on any other party or parties to the treaty, the Congress of the United States is not expressly, impliedly, or morally obligated or committed to declare war or authorize the employment of the military, air, or naval forces of the United States against the nation or nations making said

attack, or to assist with its armed forces the nation or nations attacked, but shall have complete freedom in considering the circumstances of each case to act or refuse to act as the Congress in its discretion shall determine.

In my opinion these two paragraphs point up stronger than any argument that I may make the real issues that are involved in this treaty.

Article V has been designated the heart of the treaty. I believe that statement is a correct description of the article. I am firmly convinced that if my reservation is adopted, it will protect a most vital part of our Constitution, that of the right of Congress to declare and make war.

To me this is the most important reservation that will or can be presented to the resolution of ratification. By that I do not mean that I have written the most important one, but I mean that a reservation of this character is important for the simple reason that it goes to the very crux of the whole matter, to the very issues involved.

Before I begin the discussion of this reservation, I should like to call the attention of the Senate to the fact that many important treaties entered into by this country and approved by the Senate have had reservations of interpretations attached.

It has been pointed out by the Research Section in International Relations of the Congressional Library:

That the power to apply reservations or attach amendments to treaties has been employed by the Senate with increasing frequency in recent years. Between 1882 and 1910 the United States was party to six multilateral treaties to which reservations were attached at the time of signing. (Taken from list in Owen, Reservations to Multilateral Treaties.)

Since that period reservations usually have been made upon ratification. Between 1910 and 1940, a roughly equivalent period, the United States was party to not less than 37 multilateral treaties to which amendments, reservations, or qualifications were attached, generally upon ratification—List of Treaties Submitted to the Senate, 1789-1934, Washington, Government Printing Office, 1935, pages 43 to 61; Treaties Submitted to the Senate, 1935-1939, Washington, Government Printing Office, 1940, pages 3 to 8.

Back in 1919, when the Treaty of Peace negotiated at Versailles was being debated by the Senate and particularly those features of it which had to do with the formation of the League of Nations, many reservations were presented. Senator Frederick Hale from the State of Maine addressed a letter to the Honorable Charles E. Hughes, later Chief Justice of the Supreme Court of the United States, requesting his views on the League of Nations covenants and what, if any reservations should be attached to the treaty.

Mr. Justice Hughes replied to that letter. His reply was dated July 24, 1919, and a copy of it was inserted in the CONGRESSIONAL RECORD on July 29, 1919, volume 58, part 4, Sixty-sixth Congress. Mr. Justice Hughes, who, by the way, was in favor of our entering the League,

made a very significant and, I think, helpful statement with respect to reservations. I quote from the letter:

I think that the prudent course is to enter the proposed league with reservations of a reasonable character, adequate to our security, which should meet ready assent, and thus to establish a condition of amity at the earliest possible moment. \* \* \*

As to the validity of reservations, this question has two aspects: First, with respect to the action on our part which is essential to the making of reservations and, second, as to the effect of reservations upon other parties to the treaty. \* \* \*

As to the first question, it is manifest that attempted reservations will be ineffectual unless they qualify the act of ratification. The adoption of resolutions by the Senate setting forth its views will not affect the obligations of the covenant if it is in fact ratified without reservations which constitute part of the instrument of ratification.

If the Senate should adopt reservations by a majority vote, I assume that these will be made part of the proposed resolution of assent to the treaty, and the question will then be whether the Senate will give its assent with these reservations by the requisite two-thirds vote. If the proposed reservations are reasonable, the responsibility for the defeat of the treaty, if it is defeated, will lie with those who refuse the vote essential to the assent. If the Senate gives its assent to the treaty with reservations, the concurrence of the President will still be necessary, as ratification will not be complete without his action, and the responsibility for a refusal to give the ratification with the reservations as adopted by the Senate as a part of the instrument of ratification would thus lie with the President.

Assuming that the reservations are made as a part of the instrument of ratification, the other parties to the treaty will be notified accordingly. As a contract the treaty, of course, will bind only those who consent to it. The nation making reservations as a part of the instrument of ratification is not bound further than it agrees to be bound. And if a reservation as a part of the ratification makes a material addition to or a substantial change in the proposed treaty other parties will not be bound unless they assent. It should be added that they may acquiesce in a partial ratification on the part of one or more.

But where there is simply a statement of the interpretation placed by the ratifying state upon ambiguous clauses in the treaty, whether or not the statement is called a reservation, the case is really not one of amendment, and acquiescence of the other parties to the treaty may readily be inferred unless express objection is made after notice has been received of the ratification with the interpretative statement forming a part of it.

Statements to safeguard our interest which clarify ambiguous clauses in the covenant by setting forth our interpretation of them, and especially when the interpretation is one which is urged by the advocates of the covenants to induce support, can meet with no reasonable objection. It is not to be supposed that such interpretations will be opposed by other parties to the treaty and they will tend to avoid disputes in the future. Nor should we assume that a reservation would lead to the failure of the treaty or compel a resumption of the peace conferences when the reservation leaves unimpaired the main provisions of the covenant looking to the peaceful settlement of disputes and the organization of conferences and simply seeks to avoid any apparent assumption of an obligation on our part to join in a war at some indefinite time in the future for a cause the merits of which cannot now be foreseen, as it is evident that in such case we must inevitably await the future action of Congress in accordance with what may



then be the demand of the conscience of the Nation. In contemplating this experimental, albeit hopeful, enterprise, our security and good faith are primary considerations. Those, either here or abroad, who would oppose such reasonable interpretations or reservations on our part would take a heavy responsibility.

At this point I should like to observe that the principal reason for quoting Mr. Justice Hughes is the fact that there seems to be a feeling among many of my colleagues that the adoption of a reservation to the present treaty would mean that it would have to be renegotiated. They are convinced that this is dangerous and a rather unusual proceeding. I think Mr. Justice Hughes makes it perfectly clear that, in the interests of better understanding and for the protection of our country, reservations may be necessary.

That statement, made by Mr. Justice Hughes in 1919 on the occasion of the debate over the League of Nations Covenant, is as appropriate to our present discussions and the questions under consideration as it was to the question of that day.

Fundamentally the issues raised in the League of Nations debate by the famous article 10 with its guaranty to "preserve against external aggression the territorial integrity" of all the members of the League are the same as those raised by article V of the Atlantic Pact, which in effect guarantees in different language, by a new approach, the territory and security of the pact nations in the North Atlantic area.

The times, the circumstances, the nations, and the area involved are different, but the underlying principles are the same.

The essential question, stripped of miscellaneous and extraneous matters, raised, so far as the United States is concerned, is:

Can this country under its Constitution give a firm, binding commitment without any escape clauses, that it will surely, certainly, and promptly come to the assistance, with its armed forces if necessary, of any one or more of the other parties to the treaty in the event they are subjected to an armed attack?

To raise the question squarely it should be understood that an "all-out armed attack" should be the "armed attack" under consideration.

Episodes, incidents, attacks short of an all-out war that have in the past, and can be in the future, readily settled by diplomatic methods are not pertinent to this issue and should not be considered in our debate. I shall not consider them in my debate on that issue.

Stated another way, the question is:

Can the President and the Senate by the treaty-making power granted these two divisions of Government by the Constitution, enter into an agreement with foreign powers which will firmly commit this country to go to war either by decision of the President acting under the treaty or by resolution of Congress, which, under the terms of the treaty, it is obligated to adopt?

The European members of the treaty want that firm commitment. They want, and need according to their view, that kind of commitment.

They argue, and their American supporters agree with them, that anything less than a commitment for certain, prompt, immediate armed help will not meet the conditions of a sudden all-out attack of this modern age of supersonic speed planes loaded with atomic bombs and assisted with guided missiles.

The historic and generally accepted American view, is that only Congress sitting at the time the armed attack occurs, has the power, when the attack is made on other than United States territory, to declare war and authorize the employment of the armed forces of the United States to repel such an attack.

This historic view clashes head-on with the so-called needs of our European allies and the exigencies of modern warfare. The problems, then confronting the treaty negotiators and drafters, was how to write an agreement which would surely and certainly bring the United States and all the allies for that matter, into the fight the moment it began with an overwhelming force and at the same time assure the American and other peoples that their constitutional processes of making and declaring war would be preserved.

In other words, the people in this country are led to believe that this country will engage in no war to assist our European allies in the event an all-out attack is made on them unless and until our Congress has declared war and authorized the employment of our armed forces to fight in that war.

It should be noticed that article 11 of the pact does not say that the provisions of the pact will be carried out by the parliaments, congresses, and legislative bodies of the respective parties in conjunction with their executive departments. On the contrary it says "in accordance with their respective constitutional processes."

#### ARTICLE 11

This treaty shall be ratified and its provisions carried out by the parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which will notify all the other signatories of each deposit. The treaty shall enter into force between the states which have ratified it as soon as the ratifications of the majority of the signatories including the ratifications of Belgium, Canada, France, Luxemburg, the Netherlands, the United Kingdom, and the United States have been deposited and shall come into effect with respect to other states on the date of the deposit of their ratifications.

This language permits, in the case of the United States, the use of a very ingenious device to make the firm commitment of certain, immediate aid in the event of the beginning of a major attack, and at the same time keep the American people assured that its Congress, free, unfettered, and uncommitted, will make the final decision before we are actually at war.

What is this ingenious device? It will be found in the first clause of the sentence of article 5:

The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all.

To illustrate the meaning of that clause, an attack then against Denmark is an attack against the United States.

Here is the way, in the case of the United States, that the device is intended to work; here is the reasoning back of it:

First stage: An all-out attack as distinguished from minor warlike incidents short of a major attack made on the United States immediately creates a state of war.

Congress does not have to declare war; it happens by the act of the aggressor. Congress may recognize by declaration that a state of war exists, but the state of war was brought about by the act of the enemy power. Under these circumstances, the President immediately orders the armed forces to repel the attack. He does not wait for Congress. He probably would be derelict in his duty if he did wait. That is when an attack is made directly on the United States.

Second stage: By the treaty, 10 European nations and Canada are put in the same class as the United States territory when an armed attack is made on them. For that purpose they become United States territory. For the purpose of repelling an armed attack, they become our responsibilities. They are made so by the treaty which, under our Constitution, becomes the law of the land.

The law of the land, which the President is sworn to uphold and enforce, makes it obligatory upon him to regard an armed attack on any one or more of our 11 allies as an attack upon the United States. An attack on the United States creates a state of war between us and the aggressor.

Let me state it another way: An attack on one ally creates a state of war between the nation attacked and the aggressor. That attack is an attack on all parties to the pact. By agreement in the pact itself, then, a state of war is created between the aggressor and all the members of the pact. There is no escape from this conclusion. The President must respond in good faith immediately to defend that additional territory. He must in good faith recognize that a state of war exists between the United States and the aggressor by reason of the treaty of agreement.

In modern war, to adequately defend our allies, he would be required to act immediately, even before he could get to Congress.

If he should order our armed forces into immediate action under the assumption that it was his duty to do so, then Congress would be confronted with a war already in being; and it certainly would not be free to say "No." Our forces would already be committed, and they would be committed under a treaty which became the law of the land without the House of Representatives having had an opportunity to consider it and render its judgment. It would be completely bypassed. We would be at war by operation of the treaty, in other words, a declaration of war by treaty.

Is there anyone who would contend that the framers of the Constitution ever contemplated any such result or had any such intention when they drafted the Constitution?

All of this could be done under article 11, which provides that the provisions of the treaty "shall \* \* \* be carried out in accordance with their respective constitutional processes."

Carrying out the provisions of the treaty "in accordance with our respective constitutional processes" would include either action by the President in repelling an attack or by action of Congress.

I shall seek to clarify the situation by approaching the problem from another direction.

Article 5 creates an obligation to defend our allies' territory in the event of an armed attack upon them. This is an obligation we did not have before the treaty. Simply by making the treaty and adopting the device I have mentioned, which declares, "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all," we enlarge the territory of the United States for defense purposes.

Article 5 does not increase either the authority of the President or the Congress under the Constitution. That should be carefully considered. It simply adds more territory in which or over which the Executive or the Congress or both can exercise that authority.

This is important, and should be kept clearly in mind. We extend to this new territory the same rights and privileges of defense as possessed by our own territory. By doing this we have taken on an obligation to defend it in case it is attacked. The way we shall discharge that obligation as a practical manner no doubt will be the same general way we discharge the obligation to defend the actual territory of the United States.

If an all-out attack is made upon the new territory, it will call for an all-out defense on our part, the same as it would if an all-out attack were made on our own territory. There can be no difference in the approach, so that the language of article 5 which states "that each of them in the exercise of the right of individual or collective defense \* \* \*" will assist the party or parties so attacked by taking forthwith individually and in concert with the other parties such action as it deems necessary, including the use of armed force to restore and maintain the security of the North Atlantic area, is only saying in another way that each of the parties will take the same kind of action as they would take if their own territory were attacked; that is, they would wage war to defend the area and restore its security the same as they would wage war to defend and restore the security of their own territory.

The reservation I am proposing, which is labeled A, will clarify this situation. It in effect provides that only the Congress can authorize war and the employment of our armed forces to assist in the event one or more of our European allies are victims of armed attack.

It does not leave the field open for the President to act as article 5 would authorize him to do if its meaning were not clarified and restricted. It also states the time-honored and generally understood principle of constitutional law that only Congress can declare or make war and

authorize the employment of our armed forces in the prosecution of a war.

It is true that it may make ineffective the device which sought to get around the Constitution. It may mean a few hours delay in the consideration of the emergency; but on the other hand it does no violence to the Constitution; in fact, it protects the right of a free people through their representatives to pass on such a vital matter as the declaring and making of war.

I think I can establish beyond doubt that there is enough confusion about the meaning of article 5 to justify on other grounds not only the necessity of such a reservation as contained in proposal A, but also as contained in proposal B, which is the second paragraph in the printed reservation I offered some time ago, and which has been printed and lies on the desk.

One of the principal arguments for the pact has been that it will be a powerful war deterrent because it will notify in advance any would-be aggressor that in the event it moves upon any one of the signatory parties, it will meet with, certainly, surely and promptly, overwhelming force that will stop it in its tracks. The contention goes further than that; it says in effect that with this certain overwhelming force of the 12 countries of the Atlantic Pact marshaled in unity, in advance, no aggressor will even start an attack. Yet it is said by the same parties, mostly proponents of the treaty, that notwithstanding that the commitments under article 5, creating a certain, immediate and sure force to stop an aggression, the article does not in any way infringe upon the right of Congress to declare and make war; that all our constitutional safeguards, regarded so highly by Americans throughout its entire history, are still preserved.

Let me cite from the record:

President Truman in his inaugural address declared:

If we can make it sufficiently clear in advance that any armed attack affecting our national security would be met with overwhelming force, the armed attack might never occur.

The junior Senator from New York [Mr. DULLES], in a formal statement to the Foreign Relations Committee, declared:

The pact is needed to eliminate doubt that the Atlantic community will act quickly and unitedly for common defense. There are, here at home, some doubts or more accurately, some hesitations. Few in their heart of hearts really doubt that we would react quickly and wholly against any war intention, armed attack within the North Atlantic area, for that would, in reality, be a war against us. But some would like to put off the day of decision. The European members of the Atlantic community have considerable doubt about our intentions, and there may be doubt in the mind of potential aggressors. Such doubts and hesitations increase the risk of war and they need to be resolved, for, as this committee said last May, "The best deterrent to aggression is the certainty that immediate and effective countermeasures will be taken."

In that statement the Senator from New York is emphasizing the doubt the

European members of the Atlantic community have with respect to the intentions of the United States, and also that the potential aggressors may have doubts as to our intentions. Then he indicates to meet those doubts and to stop an aggressor, that "the best deterrent to aggression is the certainty that immediate and effective countermeasures will be taken."

Again quoting from the statement of the Senator from New York [Mr. DULLES]:

The proposed treaty poses clearly the issue of certainty and immediacy. It says that an armed attack against one of the parties in the North Atlantic area "shall be considered an attack against them all." That seems to me to be reasonably plain English. It means, I take it, that an armed attack upon Denmark, for example, is hereafter to be treated by the United States as an attack upon it.

In this paragraph the Senator makes it clear that in his opinion an armed attack against one of the parties in the North Atlantic area would be an attack upon the United States, for he states, "It means, I take it, that an armed attack upon Denmark, for example, is hereafter to be treated by the United States as an attack upon us." Apparently it should read "upon it." If so, it calls for a correction.

And following this, he declares, "if there is an attack upon the United States, then something happens and it happens surely and quickly." He observes that what happens is not necessarily war. Armed incursions into the United States territory, armed attacks on United States ships and planes which are incidents short of war, do not require a counterattack of the same kind.

But if an aggressor wants to make war, the Senator from New York [Mr. DULLES] continues:

Our constitution cannot stop him. During the last 100 years the United States has been at war with many countries, but the Spanish War is, I think, the only such war that came about through Congressional declaration. In the others, the Congress found a hostile attack had already created a state of war.

I repeat—

He continues—

Any aggressor can make war. That choice lies with him. But this treaty, as I read it, takes away from him one choice, one tempting choice, that he used to have—that is the choice of making war on the parties singly, one by one. If he chooses to fight one party to this pact, he must fight them all, and all at the same time.

If I may interpolate, there cannot be any doubt as to what the Senator means. There is nothing left to discretion. He says "he must fight them all, and all at the same time." Then, going on with the quotation:

The treaty, by saying that in words no potential aggressor can misunderstand, greatly reduces the risk of armed attack on the North Atlantic area and thereby makes a great contribution to peace.

In this argument the junior Senator from New York is only emphasizing what he has already said, in effect, that an all-out attack calls for an all-out and effective treaty which will make certain that such an all-out attack will meet



with an all-out resistance from all of the members of the pact. Nothing is left to future decision where discretion may be freely exercised on the question whether there will be war or no war. If the pact nations are to have the discretion to decide whether they will or will not wage war under those conditions, the whole treaty will be ineffective.

Later on in his testimony before the Foreign Relations Committee, the Senator from New York [Mr. DULLES], under cross-examination, made perfectly clear his interpretation of the treaty obligation in the event of a major attack. He said:

If there is any doubt what we are going to do under those conditions, I think the time to debate that is now. We can afford the time to do it now. Once war starts, we can't afford to have that great debate because it is too costly and the enemy gains too great an advantage.

That language means, if it means anything, that in the judgment of the junior Senator from New York, when we ratify this treaty we have settled the issue in favor of going to war in the event of an all-out attack. We are bound to respond immediately without hesitation or delay. We must act certainly, surely, and with immediacy. That is our obligation under article 5 as he apparently interprets it. In my judgment his interpretation is correct. I think that is what the treaty means.

At this point it may be helpful by way of contrast to direct attention to the statement of the senior Senator from Michigan [Mr. VANDENBERG] in his address in the Senate on the pact. Said the Senator:

But suppose the event is obviously of major and deliberate magnitude and clearly discloses a criminal aggressor deliberately on the march—as Hitler entered Poland or as the Kaiser entered Belgium. Let us say that it is clearly the dread thinking which threatens the life and freedom of one of our associated nations, if not ourselves directly. If it is, it threatens the life and freedom of every other associated nation, including our own. If it is, it threatens total war or total surrender, pact or no pact. If it is, our commitment is clear as crystal. It is to take whatever action we deem necessary to maintain the security of the North Atlantic area, which vividly includes the security of the United States. If the only action adequate is war, then it means war. If it does mean war, I venture to assert that, pact or no pact, it would mean war for us anyway in this foreshortened world. If it does mean war, I venture to say that we would be infinitely better off for having instant and competent allies.

In this declaration the distinguished Senator has made a case for declaration of war even though there should be no pact. But he finally comes to the point of this argument when he concludes: "But if it does mean war," after he has recited all those matters, "only Congress itself under the specific terms of the pact can declare it."

What the Senator says in this last sentence is what is provided in the reservation to the article 5 which I shall offer. It declares that only Congress can decide the issue of war when a total war is begun on one or more of our allies.

The position of the Senator from New York [Mr. DULLES] seems to be quite to

the contrary. In fact, the statement of the distinguished Senator from Michigan appears to be in direct contradiction to the idea of certainty, immediacy, and a dependable group of allies who will provide an overwhelming force to stop an aggressor before he begins his attack.

I have said it appears to be a contradiction, but there is the possibility that although the Senator says that Congress itself under the specific terms of the pact can declare war, he means that while Congress will declare the war, it will be doing it because of the outstanding obligation of the United States to wage war under the circumstances mentioned. In other words, the act of the Congress in declaring war then would be done not as a matter of its judgment whether the country ought to go to war, or ought not to go to war, but because of the duty imposed upon it by reason of the covenants in the treaty.

But then comes the next question—

Continues the Senator from Michigan—

Who would decide for us what we would deem to be necessary under such bitter circumstances? The Constitution says only Congress can declare war. The Constitution also makes the President the Commander in Chief of our armed forces. As such, he can use—and many times has used—the armed forces to defend American life and security without a declaration of war. Since treaties are the supreme law of the land, would it not be his duty, under the extreme circumstances last indicated, to act instantly in defense of that pledge? I think the answer is "Yes."

But the Senator does not indicate that the President could do more than take steps short of war to show that the country recognized its pledges under the treaty. It seems to me to be clear from this that the Senator is definitely committed to the proposition that when it comes to war, only Congress could declare it. But he does not settle the question of whether or not Congress has any discretion in the matter and still live within the terms of the treaty. He does not say that the Congress is free to act or not to act in the declaring of war.

In another paragraph he makes a statement which seems to go in the direction that the Congress is without discretion but is bound to declare war. He said:

But that does not dilute the "forthwith" pledge of "all for one and one for all" if an international assassin strikes. The pledge dependably means that whoever is attacked will have dependable allies who will do their dependable part, by constitutional process, as swiftly as possible to defeat the aggressors by whatever means each deems necessary.

That statement seems to be totally in conflict with any idea that the Congress would be free to refuse a declaration of war under the circumstances mentioned in the discussion even though it was of the opinion that in order to defeat the aggressor, war would be necessary.

Many Americans will wonder of what benefit it is to say that only Congress can declare war if it is already committed in advance to make a declaration of ratification of a war already in existence by reason of the terms of the treaty

made prior to the emergency which requires action of some kind. Congress under such circumstances would be merely going through the motions and would not in any sense of the word make the declaration as a matter of free choice and decision.

At still another point in his speech the Senator from Michigan said:

The committee (Foreign Relations Committee) report answers an even more specific question on this score. Would he (the President) or the Congress be obligated to react to an attack on Paris or Copenhagen in the same precise manner as to an attack on New York? The answer is "No."

And then the Senator proceeds to distinguish between an attack on our homeland as contrasted with an attack upon the territory of one of our allies. This seems to be directly in conflict with the statement of Senator DULLES, which for convenience, is repeated:

The proposed treaty poses clearly the issue of certainty and immediacy. It says that an armed attack against one of the parties in the North Atlantic area "shall be considered an attack against them all." It seems to me to be reasonably plain English. It means, I take it, that an armed attack upon Denmark, for example, is hereafter to be treated by the United States as an attack upon it.

But this matter of fine distinction so dramatically pursued by the Senator from Michigan seems to be entirely beside the point, when it is realized and when that truth sinks in, that an attack on one pact member is an attack on them all; that an attack on one creates a state of war between the nation attacked and an aggressor, and at the same time creates a state of war between the aggressor and all other members of the pact.

When a state of war is created, there is not anything much left to do but to wage the war, not only to repel the aggressor, but to maintain the security of the North Atlantic area as long as it needs maintaining and for a period not to exceed 20 years.

It is proper to repeat here that there is not anything left for any of the parties to do but to proceed with the war. It has already been started; a state of war has been created. No declaration of war by Congress, if this agreement is sound and is upheld, is required. It would only be an anticlimax—it would only be recognizing what is already in existence by reason of the treaty or an agreement in the treaty.

The language of article 5 which explains what must be done if an armed attack occurs or a state of war is created, seems to have been put in the pact simply to assure nations which have constitutions such as ours that notwithstanding a state of war has been created, there is still some discretion left to the nations in the pact not directly under the attack.

What is said there, however, does not mean any more than what would ordinarily be the practical situation in the event our Nation would be attacked or a state of war created between it and another nation. Most certainly we would take such action as we deemed necessary, including the use of armed force to restore and maintain our security, and of course to beat the aggressor to his knees; but all that is added



in article 5, after the language which creates a condition of war in the event of an attack, is the agreement that the parties will not only take individual action but will take action in concert with other parties.

That is the new feature to what ordinarily would happen in the event a state of war should be created between any of the nations, including our own.

In view of the direct, positive agreement from which we cannot escape, except without dishonor, that a state of war is created between us and an aggressor when he attacks any one or more of our allies, it seems completely contradictory to say, as the senior Senator from Michigan [Mr. VANDENBERG] has said, that in the event of an all-out war, total war, that—

But if it does mean war, only Congress itself under the specific terms of the pact, can declare it.

I do not want to labor the point unduly, but Congress cannot declare or create a war that is already in existence. It can only ratify what has been done. I assume that when the Senator says that "only Congress itself under the specific terms of the pact can declare it," he has in mind article 11 which provides:

This treaty shall be ratified and its provisions carried out in accordance with their respective constitutional processes.

That language does not require a declaration of war by Congress before we can get into the war. It merely provides that the agreements which we have entered into shall be carried out "by the parties in accordance with their respective constitutional processes."

This provision can be fully satisfied by Congress ratifying what is already in effect and made so by the agreement, and proceeding to make appropriations for armaments of war and for the prosecution of the war which is already in existence. If it honors the agreement, that is, the treaty, it has no other choice than to proceed on the theory that the war has already been created and the only duty left to it is to provide the sinews of war and ratify what the President will already be doing at the moment, that is, using our armed forces to repel the invader, to win the war, and make it possible to maintain the security of the North Atlantic area not only for a short period, but for 20 years.

If my interpretation of article 5 is correct, and I sincerely and firmly maintain that it is, there can be little comfort in the assurance given us by the distinguished chairman of the Foreign Relations Committee in his speech at the opening of the debate, when he said:

The full authority of the Congress to declare war with all the discretion that power implies, remains unimpaired.

It should be crystal clear at this stage of the debate that the position taken by the chairman of the Foreign Relations Committee and the senior Senator from Michigan that only Congress can declare war with all the discretion that that power implies, is in complete contradiction to the very terms of the treaty itself.

So also are the generalizations contained in the Foreign Relations Committee report.

I do not accuse the members of the committee of insincerity. I prefer to believe that they do not understand fully the meaning of article 5 and all its implications. However, if I am in error in my interpretation of article 5, and what it commits this country to, I have a great deal of good company in that error.

First, I have already cited the stand of the junior Senator from New York. Now let me quote some lay opinions from two of the leading newspapers of the United States. These statements have been used before, but I am sure a repetition is justified here because of the importance of their interpretation of the treaty from the standpoint of the average citizen of the United States.

First, from the New York Times, dated March 22, 1949:

The North Atlantic Pact contains promises not even dreamed of by Woodrow Wilson. President Wilson, indeed, in his war speech of April 2, 1917, looked forward to a "universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations, and make the world itself at last free." But Mr. Wilson in time of peace would not have dared ask the Senate to commit itself, as Mr. Truman and his advisers are now doing, to go to war if any one of eleven or more nations is attacked. We should not quibble on this point. The defense pact means that or it means nothing.

Second, from the St. Louis Globe-Democrat, dated July 7, 1949:

Senator CONNALLY pulled out all the stops in a 9,000-word concert appealing for Senate ratification of the Atlantic Pact. He stated the obvious, irrefutable arguments, and then some. He made it clear the world is in a situation where the United States cannot afford to do otherwise than sign the pact, disagreeable and precedent shattering as it may be.

We think he erred seriously, however, in attempting to gloss over with the technicality the most repugnant fact of the treaty. He said it will not automatically commit this country, as some critics have contended, to go to war for any ally which may be attacked. "The full authority of Congress to declare war, with all the discretion that power implies, remains unimpaired," he explained.

The word "automatically," of course, is merely an evasion. Should a foreign aggression break out of such scope as to warrant the other signatories calling for help, Congress would have no more freedom to avoid war than a citizen has to defy the conventions without ostracism. Technically, the right of Congress to maintain an indifferent isolationism would exist; as a practical, moral matter in a world emergency, it would not.

Our automatic involvement in big-scale foreign wars is the fundamental fact of the treaty; without that fact—stated or implied—European nations would not be interested in it. The pact should be sold to the American people on that basis. Half-truths are not enough. If they will not accept it in its true meaning, now is the time for them to say so.

The editorial from the St. Louis Globe-Democrat was a comment on the statement of the distinguished chairman of the Foreign Relations Committee made in the opening days of the debate on the pact. It points up very forcibly the views of the newspaper world and the ordinary layman of this country.

There seems to be senatorial support for my interpretation of article 5. The distinguished senior Senator from Florida [Mr. PEPPER], who announced himself in favor of the pact, in his speech to the Senate on July 15 declared:

In other words, the moment the attack occurs our obligation comes into being. We cannot debate in the Senate the question whether or not we shall go to the aid of the victim of armed attack. We have already previously given our assent to the arising of the obligation. If the attack is such that we cannot resist it, if we cannot contribute our part to throw it out, except by a declaration of war, we can debate a declaration of war, as to whether we shall implement our obligation; but I do not believe that any Senator at that time would have the free choice to decide whether or not we should help. It is only a question as to the manner of assistance we shall give.

The junior Senator from Vermont [Mr. FLANDERS], in his speech to the Senate July 7, declared:

Senators have become very much concerned as to whether in ratifying it we are automatically committing ourselves to war in the event of an attack by an enemy power on one of our signatories. Mr. President, it will not take 4 minutes to convince any reasonable person that we are morally committed to a declaration of war in such a case. Not even 4 hours of the most brilliant and convincing oratory could shake this belief in the mind of any reasonable person.

Suppose, for instance, that what was momentarily feared not so many months ago took place and Norway was invaded by Russian forces. Does anyone believe that when, as, and if that does take place, there will be the slightest doubt in the mind of anyone in this room that the Norwegians would expect us to come to their aid in the shortest possible time and with the greatest possible measure of assistance? It is fantastic that, having signed the pact, we should hesitate to do so. \* \* \*

Mr. President, we are quibbling when we question this moral obligation. It is there. It will be accepted, not merely for its own sake, but for its intimate connection with national interests of safety and survival.

The view of one European member of the pact is presented in a dispatch from Copenhagen, Denmark, to the Washington Post under date of March 23. This statement is typical. I quote:

Foreign Minister Gustav Rasmussen told Parliament today that under the proposed North Atlantic Treaty the United States "would go to war" if any of the signatory nations is attacked.

"To the Danish Government," he said, "there is no doubt that the United States will consider herself pledged to assist an attacked nation with all her force."

"If armed force is necessary to reestablish security, it is evident that the member countries possessing such force are obliged to use it. That means that if an armed attack occurred on one of the member countries it could have only one answer—the United States would go to war."

I think I have presented enough quotations from proponents and opponents of the pact and from laymen in the United States to indicate that there is a sharp difference of opinion on what article 5 really commits us to do. I shall not cite more.

From these quotations it appears that notwithstanding interpretations of article 5 made by the chairman of the Foreign Relations Committee and its ranking minority member that only Congress



can declare war and that it will be required to do that by reason of the provisions of article 11 of the pact, there are others in this country and in Europe who believe the pact commits the United States automatically to go to war in the event any one or more of the other pact members are victims of a major attack.

It seems to me that every effort should be made to have the pact mean the same thing in Europe as in this country so that there will be no disputes and arguments after the pact is ratified. Now is the time to clarify anything that is vague or uncertain in the pact and to make such amendments by reservation which will not violate the Constitution of the United States and yet at the same time give the maximum of support to the friendly nations in the pact.

That is the reason why I have proposed the two reservations to article 5. They go to the very fundamentals of both the pact and the Constitution.

The issues contained in article 5 and pointed up rather forcibly by the reservations I propose are not new. Back in 1919 these issues were discussed. I think it will be of considerable help to us to get the views of one of the great men of our time, a man whom I have already quoted, the former Chief Justice of the United States, Charles Evans Hughes.

Referring again to the letter which he sent to Senator Hale in 1919, which concerned proposed reservations to famed article 10 of the Covenant of the League of Nations, let me quote from that letter:

If we are entering upon a new world order of democracies, the inevitable consequences should be recognized. Democracies cannot promise war after the manner of monarchs. It is idle to attempt to commit free peoples to the making of war in an unknown contingency when such a war may be found to be clearly opposed to the dictates of justice. . . .

Article 10 is objectionable because it is an illusory engagement. Whether we shall go to war to preserve the territorial integrity of another state in a situation not now disclosed or described so that the merits of the case may be judged will depend upon the action of Congress, and that action will be taken according to the conviction of our people as to our duty in the light of the demands of justice as they appear when the exigency arises. The general guaranty of article 10 cannot be relied upon to produce action contrary to its judgment. We should not enter into a guaranty which would expose us to the charge of bad faith or of having defaulted in our obligation, notwithstanding that Congress in refusing to make war had acted in accordance with its conception of duty in the circumstances disclosed.

Mr. Justice Hughes also suggested a reservation to article 10. I quote only a part of the suggestion, but it is the part pertinent to this discussion:

The United States of America assumes no obligation under said article to undertake any military expedition or to employ its armed forces on land or sea unless such action is authorized by the Congress of the United States of America which has exclusive authority to declare war or to determine for the United States of America whether there is any obligation on its part under said article and the means or action by which any such obligation shall be fulfilled.

The first paragraph of Mr. Justice Hughes famous statement is worthy of further comment. He said "Democra-

cies cannot promise war after the manner of monarchs. It is idle to attempt to commit free peoples to the making of war in an unknown contingency when such a war may be found to be clearly opposed to the dictates of justice."

What article 5 attempts to do is to commit us to war now upon the happening of a contingency, to wit, an all-out attack on any one or more of our pact members. It is said that, pact or no pact, if such an attack were made on any one of the nations named in the pact, we would immediately respond with a declaration of war. I think that is true as of today. I would be willing to vote for such a declaration.

But article 5 attempts to do more than that. It writes into an agreement that the conditions of today will in effect exist for 20 years, and that we will respond to the conditions which are thus frozen into the treaty the same way at some future time.

It seems to me that is a very unwise step for this country to take. It was only a few years ago when Russia was our ally and Italy was our enemy. Now the situation is reversed. It was only a year ago when China was our ally. Today she is rapidly being turned into an enemy state by reason of the victory of an ideology in a civil war. Many of the other members of the Russian or eastern bloc were our allies. They are in the so-called enemy group today.

It should be kept in mind that each of our proposed allies in the new alliance have their own selfish interest to serve, and when the pressure becomes strong enough, alliance or no alliance, pact or no pact, they will follow the line of their own selfish interests. This has been demonstrated repeatedly by Great Britain since the end of the First World War. She was a member of the League of Nations, but failed to back up the guaranty of the League Covenant. She joined in a treaty with Italy, France, and Germany at Locarno. When Germany marched into the Rhineland, she failed France. She refused to help France enforce the Locarno territorial guaranty. She has been found doing some vetoing on her own account in the United Nations. She entered into an agreement with the United States with respect to Marshall funds received from the United States. According to our State Department, that agreement has not been kept, and pressure has recently been exerted to get her to keep her agreement.

She agreed in principle to freedom of trade between the nations, yet she joined in an exclusive pact for the trade of Argentina. We probably would do the same thing under the circumstances.

The point I am trying to make is no matter what the terms of an alliance are, national interest will supersede those terms and in the end defeat the alliance unless during the entire period of time, the situation remains the same. It cannot be kept the same by a mere agreement and that is what the pact tries to do.

It is as true today as when Justice Hughes said it, that "democracies cannot promise war after the manner of monarchs. No free people can be committed to the making of war in an un-

known contingency when such a contingency may be clearly found to be opposed to the dictates of justice. There can be no successful denial of these fundamental principles."

It seems to me the Congresses of the future can be trusted to use their best judgment, and in this case should be trusted as the peoples' representatives. This treaty is something new in our history. We are now putting ourselves in the position of agreeing to wage war to protect the soil and the flags of other territories to which our people, our youth, owe no allegiance. If a Congress of the future, when an emergency should arise—and God forbid that it should—does not believe that the cause is just, that it is opposed to the dictates of justice, it is unlikely that it would enter into the war with any degree of enthusiasm. In fact, it might repudiate the treaty, feeling that it would be better to do that than engage in a cause which it felt was unjust.

We should not enter into any agreement that would bring about a situation where our Congress would be forced to repudiate a solemn obligation.

It should also be kept in mind what we of this generation are actually doing and saying in this treaty and in the arguments in support of it.

For instance, we say that had such a treaty been in existence at the time the First World War was begun, it would not have started; that the Kaiser and his war ministers would have hesitated before starting the fray. We overlook the fact that the Kaiser deliberately brought on our participation in the war by his conduct of unrestricted submarine warfare. Apparently he did not fear us in spite of our protests and our warnings.

We say that Hitler never would have marched had there been such an organization when World War II began. Let us not forget that there was a world organization in existence, made up of practically all the nations of the world except the United States, organized for the very purpose of preventing war with a guaranty of a territorial integrity for member nations. This was a powerful organization, yet it permitted Hitler to take the first step when he marched into the Rhineland. He had few guns, few soldiers, practically no planes and no submarines at that time, but this organization did not have the will for peace. It did not have the will to stop him.

It is speculation to state now that had an Atlantic Pact been in existence he would not have marched in 1939. But according to the State Department he knew we would likely come in. The recent issue from the State Department files indicates clearly he was advised the United States would come to the rescue of Great Britain, but that did not stop him. In fact, following Pearl Harbor, he declared war on the United States. We only recognized a state of war which he created as between us and Germany.

In these two instances it seems to me this generation is showing a great amount of egotism to say that we can read the minds of those who have passed on. Even with our hindsight, we are probably not as wise as we think we are.



But we do not stop there. We attempt to see what will happen in the future, for 20 years.

I think this is an extremely dangerous thesis. We had better take a look at ourselves to see if after all we have the wisdom to say now better than future generations can say it, whether or not they shall go to war upon the happening of a certain contingency.

In the second paragraph of his letter, Justice Hughes points out the duty of Congress to make the decision on what will be done, "and that action will be taken according to the conviction of our people as to our duty in the light of the demands of justice as they appear when the exigency arises."

That is sound doctrine. It is old-fashioned doctrine. It makes sense in any time or age, and particularly at the present time. The statement in that paragraph which we should keep clearly in mind and adopt as one of our guiding principles is that we should not enter into a guaranty which would expose us to the charge of bad faith or of having defaulted in our obligation, notwithstanding that Congress in refusing to make war had acted in accordance with its conception of duty in the circumstances disclosed.

This should fully answer the statement—"Well, if we do enter the treaty and make the commitments, we can denounce the treaty and get out of it any time we feel our interests require us to do so."

The final paragraph in Justice Hughes' letter states the circumstances of a reservation which he suggested to Senator Hale as necessary to protect the United States if the League Covenant were adopted. It should be remembered, too, that Mr. Justice Hughes was in favor of the United States joining the League of Nations, but he felt the interests of the United States should be protected and that reservations to that treaty were desirable and necessary and practical.

It is said that article 5 is the heart of the pact and that if my reservations, which I read to the Senate a while ago, should be adopted, it will cut the very heart out of the pact. My answer to that is that if the pact means what it seems to say and as I and many others have interpreted it, article 5 cuts the very heart out of the Constitution of the United States, because I cannot conceive of any greater right of the people than to decide for themselves whether they are going to fight in any cause which may arise.

It is the sworn duty of every Senator, including myself, to support and defend the Constitution of the United States. I want to do just that, not because of any technical reasoning, but because I believe the provisions in the Constitution that only Congress can declare war and authorize the employment of the armed forces in case of war is a sound and wise doctrine, and that it applies especially in this case where we are making the commitment to defend the territory of some other country in the event of any emergency that may arise, or in the event of any attack that may come.

I think the implications growing out of the Constitution with respect to the declaration of war and the making of war are that the Congress in existence at the time when an emergency arises, should freely and unfettered and without limitations of any kind, make the decision between war and peace.

I am convinced that no free people can long remain free if it permits its officials to do by indirection something that seems to be desirable at the time, yet violates the Constitution which is based on principles which never change, but are applicable to nearly all situations in life, in modern times as well as in early days of the Republic's history.

Let me refer to lend-lease for a moment. Lend-lease was a legal fiction. We wanted to help the Allies in the war, and we tried to find some way to preserve the principles of neutrality and at the same time violate them in effect.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. WATKINS. I wish to be courteous, but I should like to complete my statement, if I may, before yielding.

Under those circumstances we called it "lend-lease," though we knew at the time that we were not lending the goods or the armaments to the Allies. We knew that we were giving them to the Allies, and we intended to give them to them in nearly 100 percent of the instances of lend-lease. There were some instances in which we did not make actual leases. But we acted by indirection. It seemed to be the smart thing to do, the brilliant thing to do. But I would have felt better had we said, "Yes, we are going to intervene in this war; we are going to give the equipment you need to fight the war."

I want to go just as far as possible in helping our friends in bringing together in a common understanding those who are opposed to the ideology of communism, which I detest and abhor just as much as any man in this chamber, or the United States for that matter. I should like to vote for this pact, and I will do so, provided the reservations which I have proposed are made a part of the resolution of ratification. I include the two reservations I have mentioned, and the third, which will be proposed by me and at least two other Senators to article 3. I say this in spite of the fact that I have already pointed out many weaknesses in the pact.

There are some advantages to those provisions which bring people together in some kind of a working arrangement under which at least they can talk over mutual problems of defense and plan that defense, even though they are not in an iron-clad alliance.

I point out that these reservations go only to the use of arms, the waging of war. All other measures agreed to in the pact, economic and otherwise, designed to help the parties to develop mutual aid among themselves are not affected at all by these reservations.

The questions I have raised in the past have not all been answered and probably never will be until history writes the final page on this period of our national existence. Some of them have been

answered through the graciousness of many Senators who are experts in this field, and others who have testified.

It has been my particular purpose to develop as much interest in the pact as possible so that the people of the country will realize the heavy responsibility we are assuming when we ratify it. We are assuming heavy responsibilities which many people do not even realize. I think Mr. Reston, in the New York Times, pointed out that many people say, "Suppose we do enter into the pact. When the time comes Congress can take care of the situation. We probably will not have to do very much about it at that time." The public has not been too well informed about this pact, even though the newspapers have carried many volumes of printed matter and statements by various persons in connection with it. I think further, if a check were made, it would be found that fewer people know about the pact and what it means than know about the Marshall plan, which has been in existence for some time. As I remember, the percentage of people in the United States who really knew anything about the Marshall plan was very low.

The reservations I propose to article 5 are nothing more or less than a restatement of the old and well-established principles of the Constitution with respect to the declaring and making of war.

The chairman of the Foreign Relations Committee has declared:

The full authority of the Congress to declare war with all the discretion that power implies, remains unimpaired.

He is making a plea for the pact, and using that as an argument. I invite attention to what Mr. Justice Hughes said in that connection. When the proponents use that argument in favor of ratification, then there is no reason why a reservation should not be accepted. Those are not his exact words, but I think that is the substance of his meaning.

That statement contains the meat of the reservations which I am proposing stripped of the formal language. The senior Senator from Michigan, ranking minority member of the Foreign Relations Committee, has declared that Congress will have final responsibility of declaring war in the case of a total or all-out attack on any member of the alliance. Foreign nations have other interpretations. Many Members of this body think that the pact contains a total commitment, which in effect declares war in advance upon the happening of a war provoking incident. They believe that it is a declaration of war by treaty. They believe that the House of Representatives will be completely bypassed and robbed of its constitutional responsibility.

It should now be clear beyond the shadow of a doubt that clarifying reservations are needed. Why then should not such reservations be adopted, if the proponents of the treaty are sincere in their arguments that our time-honored constitutional principles are to be preserved. I do not doubt the sincerity of the proponents, and at the moment it is impossible for me to understand why they should oppose these reservations. There is no practical difficulty in their adoption.



It has been done many times in the past in connection with treaties. I have placed the figures in the RECORD. In fact, it has been the rule rather than otherwise in connection with treaties which have been ratified by the Senate.

I point out that it has been declared by some of the proponents of the treaty that people in foreign countries which are members of the fact take the same view we have. Then why should they object to a reservation? Why should there be need for renegotiation, if they take that point of view? However, I do not agree with that statement. I do not think they have that point of view. I believe that the statement of the Foreign Minister of Denmark is typical of the way in which those peoples look upon this pact. It will not be necessary to renegotiate the treaty if the reservations to which I have referred are adopted. Justice Hughes has pointed that out; and particularly is it true when those who have been urging the adoption of the treaty are using the substance of the reservation as an argument why we should ratify the treaty.

Mr. President, I had intended to say something further about the reservation to article 3. I discussed that question at some length. Another reservation which is drafted in a little different form from the one which I have had printed and placed on the desks of Senators will be offered tomorrow. I intend to support that reservation. I believe that the arguments which I made the other day will justify my vote in that direction.

Mr. President, I have before me statements by various scholars who have studied the question of the views of European nations on the implementation of the mutual-help article in the pact. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement prepared by Hamilton A. Long, of Chicago.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

**SAMPLE EVIDENCE OF AMERICA'S ARMS OBLIGATION UNDER THE NORTH ATLANTIC PACT**

The understanding and expectation of other signatory nations under the pact, based on representations by United States officials to their officials, is the key to America's obligation under it—as negotiated and signed. The other nations consider this obligation, to arm them for security against invasion, to be not only inseparable from the pact but its very heart. This is proven by the public record; by the sample evidence cited below. Senate "interpretations," and declarations by Senators—individually or in groups, cannot alter the facts in this regard as of the time the pact was signed—on April 4, 1949.

1. France's Foreign Minister Schuman has described the pact as providing the contractual basis for a United States supply of arms for the other signatory nations. (New York Times, Paris dispatch, March 12, 1949.)

2. The French Foreign Office said Schuman had urged that the United States send to Europe the maximum quantity of arms possible, of the most recent types; not surplus equipment from war stocks. (New York Times, London, March 23, 1949.)

3. Foreign Minister Schuman, who left tonight for the pact signing in Washington, is reported in informed circles here (Paris) to be prepared to emphasize to Secretary Acheson that it is urgent to remedy France's exposed position as soon as possible, by re-

arming her forces and giving assurance of quick assistance in case of attack. (New York Times, Paris, H. Callender, March 31, 1949.) This pre-pact signing position of Schuman continued thereafter; a cabinet spokesman saying Schuman intends to insist that France be made the keystone of western Europe's defense and that the French Army be aimed for this role. (Associated Press dispatch from Paris; Chicago Tribune, May 31, 1949.)

4. General deGaulle demanded priority for France regarding United States arms, to back the pact, saying the pact is not enough—United States arms shipments must be forwarded immediately on a precise schedule. (Associated Press, Paris, Chicago Sun Times, March 30, 1949.) On the day of the pact signing, he advised France to "reserve her judgment" on the pact until she learned what the United States intended to do to give it military reality—by supplying arms for Europe "and Britain." To have practical value, he said, the pact would have to be accompanied by "sure and precise arrangements regarding American aid." Also said France "must know if and under what conditions she will receive the arms she needs as the advance guard of liberty and the center of defense of western Europe \* \* \* (and) \* \* \* if and under what conditions she will be assisted in case of an aggression threatening her security." The report says deGaulle seemed to warn that he, and his followers in Parliament, might refuse to approve the pact unless its military accompaniments met its specifications. This differed little, the report stated, from what Schuman is understood to have told Secretary Acheson when in Washington for the pact signing; France fearing invasion-occupation above all else. (New York Times, Paris, H. Callender, April 5, 1949; the dispatch having been sent the previous day, the 4th, the day of the pact's signing.)

5. According to the propact New York Times, per its propact James Reston, the tie of the arms program to the pact is definite in the minds of the Europeans. This was his assertion on the eve of the pact signing; in a dispatch noting that President Truman's inaugural speech in January stated he would send to the Senate "a treaty respecting the North Atlantic security plan. In addition, we will provide military advice and equipment \* \* \*." Reston continues by pointing out that in February 1949, in its summary of the Atlantic security problem, the State Department discussed the need for both political and arms commitments, saying: "It seems clear that the United States must supply much of the military equipment which the countries working for recovery cannot produce themselves \* \* \*." (New York Times, Washington, March 3, 1949.) The Truman budget message of January 10 also included the arms program. (New York Times, January 11, 1949.)

6. Immediately after the pact signing, United States Chief of Staff Bradley, speaking in New York expressly at the request of the State Department, regarding the pact "and its implementation," mentioned the President's inaugural speech statements above mentioned and continued by saying that: "A military-assistance program is obviously an essential sequel to the pact." Bradley said United States arms will provide our pact "allies" with the means to resist—lacking which they would not have the will to resist, and the pact would serve as a promise merely of liberation from occupation (New York Times, April 6, 1949). This speech reassured the French and other continentals; in effect responding to the demand of deGaulle about arms, above mentioned, of the previous day. (New York Times, Paris, April 6, 1949.)

7. Two months before the pact signing, it was reported that the Governments of Denmark and Norway had been fully but pri-

vately informed through their Ambassadors in Washington what the United States is prepared to offer in the way of arms (New York Times, London, February 1, 1949). It will be recalled also that the State Department, in January preceding, officially advised the Scandinavian countries that the United States would supply arms only to "countries associated with us in collective defense arrangements. This had a decisive effect on their policies, as Walter Lippmann truly observes (Chicago Sun Times, July 16, 1949).

8. Last January, news that Washington was discussing with London a deal to supply Britain with a big force of B-29's was officially confirmed in American quarters in London; 150 planes valued at \$150,000,000 being mentioned, in exchange for bases, etc. The United States would keep this number in operation, with replacements, repairs, etc. (Chicago Sun Times, London, Frederick Kuh, January 25, 1949). A London AP dispatch at this time said the number of planes discussed was 150 to 180; that equipping the RAF with B-29's had been long discussed, per an American informant; and that this step was thought to be perhaps in line with—and opening the way for—unification of the RAF and United States Air Force bomber commands, a long-discussed plan (AP, London, Chicago Tribune, January 25, 1949). Shortly after the pact signing, the State Department Information Service, which supplies news reports to foreign countries, said that "Air Force sources disclosed that under the arms program some 300 B-29 type bombers may be made available to western Europe." (L. Norman, Chicago Tribune, Washington, April 15, 1949.)

9. Promptly after the pact signing, the Economist (London)—a leading journal of opinion—said the pact "is still more of a promise to western Europe of eventual liberation than an assurance that invasion can never take place. For it to become a full instrument of security, its strategic implications have to be agreed and the scale and distribution of rearmament assessed." And it notes General Bradley's speech above mentioned as showing United States military authorities are aware of the need of arms for our "allies"; and says the Truman Administration agrees: "No attempt has been made to hide from Congress the fact that the Atlantic Pact will be effective only if it is accompanied by a large shipment of arms to western Europe, and by the evolution of a defense plan which involves American military commitments in Europe" (April 19, 1949).

10. As long ago as January 1948, the United States sent a mission to France to make discreet inquiries into the need of the French armed forces; and highest ranking officers of the French armed forces are reported to feel that they have been let down badly by the United States in the matter of arms aid. They insist an agreement in principle was reached at that time for such United States aid. The French forces have even made preparations based on this belief that arms would be forthcoming; training additional divisional staff groups to staff the new divisions to be thus equipped. (New York Times, Paris, Kenneth Campbell, May 30, 1948.)

11. The representatives of the Brussels Pact nations began deliberations on their military needs (to be supplied by the United States) immediately after the President's speech to the joint session of Congress in March 1948; and the United States entered the Brussels Pact military committee's deliberations in July 1948 when a mission of experts was sent to London under Maj. Gen. L. L. Lemnitzer. (New York Times, January 29, 1948. Washington. A. Leviero.) In fact, in mid-1948 French Embassy officials said that the western union nations were continuously pressing the United States military equipment; relying on President Truman's March 1948, message to Congress assuring

these nations that the United States would match their efforts to safeguard their frontiers. (INS dispatch, Washington, Chicago Herald American, August 20, 1948.) And President Truman personally ordered, in October 1948, the release of arms to equip three French divisions in Germany; there being a quiet agreement that United States forces there will be fitted into western Europe defense forces. (New York Herald Tribune, Jos. Alsop, January 12, 1949.)

12. Secretary of State Marshall disclosed to the western Europe Foreign Ministers in Paris, last fall, an 8-point program for dealing with Russia; which the French were then calling the second Marshall plan and Marshall's "grand design"; calling in part for an anti-Communist military alliance and United States lend-lease arms aid of at least \$5,000,000,000, the initial cost. Assurances were given that Governor Dewey was in agreement, in principle, as the Republican Presidential nominee. (Paris, Chesly Manly, Chicago Tribune, October 22, 1948.)

13. Immediately after the signing of the pact, eight of the signatories presented to the State Department an urgent appeal for arms and cash aid, for their rearmament; and the United States State Department formally replied that it would recommend such assistance to Congress in recognition of the principle of self-help and mutual aid contained in the Atlantic Pact. (New York Times, Washington, April 9, 1949.) (In other words, the State Department considered the arms program to be an implementation of the pact, though denying it in July in a communication to Senator VANDENBERG, New York Times, July 12, 1949.) The United States Government is going quietly ahead with plans to set up military supply missions in each of the countries which may receive arms under the arms program. A small group of United States armed forces experts arrived in London, a few weeks after the pact signing, to confer with the European Coordinating Committee organization set up under the chairmanship of Ambassador Douglas to supervise the arms-distribution program. (New York Times, London, May 6, 1949.)

14. The arms program has been inextricably interwoven with the alliances program all along; this being especially clear in the spring of 1948 when the President was on the verge of asking Congress for arms lend-lease revival—at the same time that the Vandenberg resolution (Senate Resolution 239) was being readied for public announcement. (See New York Times and New York Herald Tribune, for the last week in April and the first week in May 1948, for instance.) Both arms and alliances programs were, of course, being gradually developed in 1947; and have their roots in still earlier British-United States dealings and understandings—as noted in my statement against the pact at pages 1235-1263 of part 3 of the record of hearings of the Senate Foreign Relations Committee regarding the pact, especially in the chronological list of background events at pages 1259-1263.

15. The demand for our pact allies has all along been for security against invasion occupation, not postoccupation liberation by United States forces. Hence their demand for arms for this purpose. French Foreign Minister Bidault spoke their demand for arms for this purpose. French Foreign Minister Bidault spoke for all when he spoke for France in June 1948, in a reported private conversation, saying that not long after invasion (by Russian forces) every leader of French political and social thought will have been liquidated (Newsweek, June 14, 1948). Early this year Premier Quetle reiterated this warning, saying "any liberation by America would be liberating a corpse. . . . Fifteen days, even, after the invasion will be too late." This is why they consider the arms program to be the heart

of the pact alliance, their main reason for signing it. Last month Quetle said, in line with the pre-pact signing understanding, that France expects the United States to rearm her army and make her secure against invasion and occupation, because otherwise we could not go on working. And (now that the pact is signed) France feels now that she has allies and soon will have her own army again. Without the United States, we would be lost. (Interviewed by Irving Pfau, Paris; Chicago Sun Times, June 4, 1949.)

#### CONCLUSION

The pact, as negotiated and signed, inseparably embodies the arms program to make our allies thereunder secure against Russian invasion.

HAMILTON A. LONG.

Mr. WATKINS. Mr. President, that concludes the formal presentation which I intended to make at this time.

Mr. McMAHON rose.

Mr. DONNELL. Mr. President, has the Senator concluded?

Mr. WATKINS. I have finished. I noticed that the Senator from Connecticut was first on his feet.

Mr. McMAHON. Mr. President, I was seeking recognition. I thought the Senator was through.

Mr. DONNELL. If the Senator will yield to me for a few questions, I shall appreciate the privilege.

Mr. WATKINS. I yield.

Mr. DONNELL. The Senator quoted quite extensively from a letter from Hon. Charles Evans Hughes to Hon. Frederick Hale, dated July 24, 1919, and set forth in volume 58 of the CONGRESSIONAL RECORD for July 29, 1919, part IV, Sixty-sixth Congress, at pages 3302 and 3303. I am not entirely certain whether the Senator quoted all of the parts which particularly impressed themselves on me upon glancing through the letter after hearing the Senator mention it.

Mr. WATKINS. I quoted most of the letter which I thought was pertinent to the present discussion.

Mr. DONNELL. I think the Senator quoted this sentence from the letter of Mr. Hughes:

The adoption of resolutions by the Senate setting forth its views will not affect the obligations of the Government if it is in fact ratified without reservations which constitute part of the instrument of ratification.

The Senator quoted that; did he not?

Mr. WATKINS. I did.

Mr. DONNELL. Let me ask the Senator whether in his opinion the fact that the Committee on Foreign Relations has made a report, or the contents of that report, would in any way affect the obligations of the Government if the North Atlantic Treaty were in fact ratified without reservations which constitute part of the instrument of ratification.

Mr. WATKINS. I think such statements would not affect it at all, so far as the other countries are concerned, simply because the other countries have not accepted those statements. They have not been called to their attention as a part of the pact. I think Justice Hughes is correct in stating that only such matters as are made a part of the resolution of ratification, and such reservations as come within it, would be binding on the other signatories, in the event they did not object to them, or

merely passed some resolution accepting the reservations.

Mr. DONNELL. It would certainly appear logical, would it not, that if Mr. Hughes was correct in saying that the adoption of resolutions by the Senate would not affect the obligations of the Government if the treaty were in fact ratified without reservations which constitute a part of the instrument of ratification, a similar action by a subordinate arm of the Senate in submitting a committee report certainly would not affect the obligations of the Government under the North Atlantic Treaty if the treaty were in fact ratified without reservations which constitute a part of the instrument of ratification.

Mr. WATKINS. I certainly agree with that statement. I think there is a mistaken idea that if the report of the Foreign Relations Committee or the debates of the Congress are examined, what the pact means will be determined. I doubt if they would have any effect. Justice Hughes goes on to point out that even a formal declaration, a resolution passed by the Congress, would have no effect whatsoever on what other nations would be required to do under the pact, or their understanding of the pact.

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

Mr. WATKINS. I yield.

Mr. DONNELL. Am I correct, then, in drawing the inference that if the adoption of resolutions would not affect the obligations of the treaty, if it is in fact ratified without reservation, and if the report of the Foreign Relations Committee itself would not affect the obligations of the treaty, certainly the mere statements on the floor of the Senate by the chairman of the Foreign Relations Committee would not affect the obligations of the covenant or treaty?

Mr. WATKINS. I doubt it. I think they would have no effect whatsoever on what the other parties would finally argue the treaty to be, unless some of the statements made were in their favor and they wished to use them to bolster an ambiguous clause.

Mr. DONNELL. But is it not perfectly clear that mere statements on the floor of the Senate by the chairman of the Foreign Relations Committee will not affect the obligations of the treaty?

Mr. WATKINS. I think that is correct. Any statements or reservations made would have to be of equal dignity with at least the resolution of ratification in order to be binding in any way on any of the parties.

Mr. DONNELL. And by like reasoning, the statement of the ranking minority member of the committee, made on the floor of the Senate, would not affect the obligations of the treaty would it?

Mr. WATKINS. Much as I respect him, I think that would not have any binding effect on anyone.

Mr. DONNELL. I was referring to the senior Senator from Michigan [Mr. VANDENBERG], with all due respect both to him and to the chairman of the committee. The point I make is that obviously, as a matter of law, none of the statements made by either of those



gentlemen would affect the actual obligations of the treaty after once it is ratified, although doubtless it might be true, as the Senator has indicated, that if some of the other signatories wished to use such a statement as a basis for an argument in regard to admissions on our part, they might do so with some basis of plausibility.

Mr. WATKINS. It might be binding on us, but certainly it would not be binding on them.

Mr. DONNELL. That is precisely the point, and the Senator from Utah has stated it much better than I stated it—so much so, that I am glad to have his statement in the RECORD.

In all frankness, I should say I have not yet developed the matter to that point, but I think the Senator from Utah is entirely correct in his conclusions.

Mr. WATKINS. I think the general legislative history of such matters and the statements made in committee reports are of no binding effect on anyone, except as they might be used in the nature of admissions.

Mr. DONNELL. But when we are told by the senior Senator from Michigan that the pact "involves us in no obligation not already implicit in our signature to the United Nations Charter."

That statement has no actual legal effect insofar as changing the obligations or in giving us any legal assurance that we are not bound in that way, does it?

Mr. WATKINS. I would say it has no effect.

Mr. DONNELL. In other words, the treaty speaks for itself; and the mere conclusion of the distinguished Senator from Michigan that it "involves us in no obligation not already implicit in our signature to the United Nations Charter" is without legal effect, is it not?

Mr. WATKINS. That is correct. The other nations would not have any obligation whatever to regard it as binding.

Mr. DONNELL. Yes.

Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield.

Mr. DONNELL. When the senior Senator from Michigan, as shown at page 8897 of the CONGRESSIONAL RECORD, assured us that article 2 of the treaty "is not by any stretch of the imagination a mandate."

That statement does not change article 2 into no mandate, if as a matter of law it is a mandate. Is that correct?

Mr. WATKINS. That is correct.

Mr. DONNELL. Of course, I am not in any sense undertaking to commit the Senator whom I am addressing to a statement of whether it is or is not a mandate.

Mr. WATKINS. I may state that I have a good many doubts about what is in that article. As the Senator from Missouri knows, at the hearings I asked a good many questions about it of the witnesses who appeared. It was difficult to get any concrete statement as to what it meant. I was interested in the statement of the senior Senator from Michigan [Mr. VANDENBERG] that it did not include tariffs or the International Trade Organization or many other things. At

the time, I thought to myself, "That is satisfying, and that indicates what is meant; and we are not bound in that direction, because the senior Senator from Michigan has said so." But I have come to the conclusion, after reading Mr. Hughes' letter and other matters in that connection, that we do not know what is included under that section of the pact.

Mr. DONNELL. So when it is stated in article 2 that—

The parties \* \* \* will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

Is it true that both the Senator from Utah, whom I am addressing, and I have found nothing in the testimony we heard before the Foreign Relations Committee—we did not hear all the testimony, but I refer to what we did hear—to illuminate the path with any degree of light which would enable us to tell just what things are meant by that statement in the treaty?

Mr. WATKINS. I agree with the Senator. In fact, I was very much surprised to find that some of the witnesses had not even read the treaty, yet they were giving us advice about it and what it meant, and they said it should be ratified.

Mr. DONNELL. Mr. Clayton, the former Assistant Secretary of State, stated on the witness stand, did he not, that he had not read any part of the treaty?

Mr. WATKINS. I think that is correct.

Mr. DONNELL. Yet he was there advising that it be ratified. Is that correct?

Mr. WATKINS. He said he had read many articles about the treaty, although he had not actually read the treaty.

Mr. DONNELL. I should have included that statement in my question. I did so the other day.

Mr. WATKINS. Yes. But it was surprising to find how little some of the witnesses who were posing as experts on the treaty knew about it and its language.

Mr. DONNELL. When we are told by the senior Senator from Michigan that—

What happens, for example, if one of them—

Meaning one of the existing signatories—

succumbs to communism? Are we still bound by these pledges? The answer is that we are not. Any adverse change in basic character would represent a new signatory to all intents and purposes. We are making no commitments to any such new signatories.

Am I correct in my understanding that the Senator from Utah would agree with me that that answer by the Senator from Michigan has no legal effect whatsoever in connection with determining whether there is a discharge of such a country from the treaty by virtue of its becoming communistic?

Mr. WATKINS. I think that is correct. I do believe we can interpret the treaty in that way. The only binding effect, possibly, would be on the Senator from Michigan, but not on anyone else.

Mr. McMAHON. Mr. President, if the Senator will yield for a question, may I ask the two Senators how long they think their colloquy will last?

Mr. DONNELL. I shall take not more than 5 or 10 minutes longer.

Mr. McMAHON. I am anxious to present my remarks on the treaty, and I have an 8 o'clock engagement. Of course I realize that that is of no concern to the Senator, and I do not wish to undertake to limit the colloquy. However, I wondered how long the Senator would take.

Mr. DONNELL. I do not wish in any sense to be unreasonable to the Senator from Connecticut. I should like to pursue this matter for a few minutes further, if I may; and I shall endeavor to be as expeditious as possible.

Mr. McMAHON. Would it be possible—I ask this in all hope that it will be—for the Senator from Connecticut to make a short address, and then for the colloquy to be resumed?

Mr. DONNELL. I shall have to ask the Senator from Utah if that will meet with his approval. I do not think I shall take more than 5 or 10 minutes more.

Mr. WATKINS. Mr. President, I appreciate the situation. However, to accede to the suggestion of the Senator from Connecticut would be to suit his convenience, as opposed to that of the two Senators to whom he has referred.

Mr. McMAHON. I fully appreciate that, and I have no desire to do so.

Mr. DONNELL. I thank the Senator from Connecticut. May I inquire of the Senator from Utah whether he agrees with the sentence I am about to quote from Mr. Charles Evans Hughes' letter of July 24, 1919? The Justice was then referring to the League of Nations Covenant, but now, assuming that in bringing us up to date, that same language were used with application to the North Atlantic Pact, would the Senator agree with this observation made by Mr. Hughes?

Rather, the proposed covenant—

That is to say, now, it would be the North Atlantic Pact—

should be viewed as a mere beginning, and while it is important that we should have a beginning, it is equally important that we should not make a false start.

Would the Senator agree with that statement?

Mr. WATKINS. I certainly agree with it. I think that is good, sound sense.

Mr. DONNELL. I recall that the Senator made some mention of a similarity in effect between article 5 of the treaty and article 10 of the League of Nations Covenant. Did I correctly understand the Senator?

Mr. WATKINS. I did make a statement of that kind. I pointed out that, while the situation was different and the parties were different and the circumstances at that time were not quite the same as they are now, yet underlying it all was the same idea in the case of the League of Nations of guaranteeing the territorial integrity of the members of the League of Nations, and in the case of the North Atlantic pact of guaranteeing the security and the territory of

its members. In that way they are very closely related, and the fundamental problem of the Constitution itself, and what can be done under it, with respect to a matter of that kind, is in my opinion exactly the same.

Mr. DONNELL. Mr. President, will the Senator permit me another inquiry?

Mr. WATKINS. I yield.

Mr. DONNELL. Does the Senator agree with me in this observation by Mr. Hughes in that connection? Referring to article 10 of the League of Nations Covenant, he says:

I still think that article 10 is a trouble breeder and not a peacemaker.

Would the views of the Senator be to the effect that article 5 of the proposed North Atlantic Treaty is likewise, to quote Mr. Hughes' language, "a trouble breeder and not a peacemaker"?

Mr. WATKINS. As the treaty is now written, without my reservations, I think it will be a trouble breeder and be dangerous to the United States. As I interpret it and as I think it was written and intended, it would be an outright violation of the Constitution of the United States in respect to one of the greatest rights the people now possess, namely, to have representatives of their own choosing decide whether they shall go into a war in which their lives, their liberties, and indeed, everything they have in the world are involved.

Mr. DONNELL. In regard to the Senator's reference to the Constitution, may I inquire whether he concurs in this observation in Washington's Farewell Address:

The basis of our political systems is the right of the people to make and to alter their constitutions of government—but the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

Mr. WATKINS. I agree most heartily with it, and I believe there has been time enough for those who believe we ought to be able to make a treaty of this kind to have gone to the people with a constitutional amendment, if there is such an emergency as has been declared. It would not have taken long to obtain ratification of such an amendment by the various State legislatures, provided the people of the United States would have stood for such an amendment. My own personal judgment is they would have turned it down by an overwhelming vote and voted out of office anyone who would attempt to tamper with the constitutional provisions on the question of making war.

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. WATKINS. I yield.

Mr. DONNELL. There is one other portion of Washington's Farewell Address, wherein he is considering the matter of those entrusted with the administration of a free country confining them-

selves within their respective constitutional spheres, avoiding in the exercise of the powers of one department encroachment upon another. Washington had this to say, and I ask the Senator whether he agrees with the underlying views thus expressed by George Washington:

If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates—but let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Mr. WATKINS. I agree with that, and I point out that in this particular treaty it is attempted to amend the constitutional authority. That cannot be done in my judgment; but there is no way on earth to review it. No one is going into the Supreme Court, as at present constituted, and get any worth-while review of the question.

Mr. DONNELL. Mr. President, I appreciate the courtesy of the Senator. I have made inquiry to ascertain whether a copy of the report of the Committee on Foreign Relations has been placed in the RECORD. I think it is important to have it in the RECORD. I do not regard the committee report as in any sense affecting the obligation of the treaty, but nevertheless I think it is important that the observations of the committee and the views of the committee may be before the Senate in full, and, unless it shall develop from the reportorial staff that the report has already been incorporated, I ask leave that, at the conclusion of the colloquy between the Senator of Utah and myself, the report may be set forth in full.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DONNELL. I thank the Senator.

Mr. WATKINS. I yield the floor.

The report of the Committee on Foreign Relations (Ex. Rept. No. 8) is as follows:

The Committee on Foreign Relations, to whom was referred the North Atlantic Treaty (Executive L, 81st Cong., 1st sess.), signed at Washington on April 4, 1949, unanimously report the treaty to the Senate and recommend that its advice and consent to ratification be given at an early date.

#### PART I. BACKGROUND

##### 1. MAIN PURPOSE OF THE TREATY

The basic objective of the treaty is to assist in achieving the primary purpose of the United Nations—the maintenance of peace and security. It is designed to do so by making clear the determination of the members of the North Atlantic community to safeguard their common heritage of freedom by exercising collectively their inherent right of self-defense in the event of an armed attack upon any of them, while making clear at the same time their determination to live in peace with all governments and all peoples.

##### 2. TEXT OF NORTH ATLANTIC TREATY

"The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their de-

sire to live in peace with all peoples and all governments.

"They are determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law.

"They seek to promote stability and well-being in the North Atlantic area.

"They are resolved to unite their efforts for collective defense and for the preservation of peace and security.

"They therefore agree to this North Atlantic Treaty:

##### "ARTICLE 1

"The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

##### "ARTICLE 2

"The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

##### "ARTICLE 3

"In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.

##### "ARTICLE 4

"The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.

##### "ARTICLE 5

"The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

"Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

##### "ARTICLE 6

"For the purpose of Article 5 an armed attack on one or more of the Parties is deemed to include an armed attack on the territory of any of the Parties in Europe or North America, on the Algerian departments of France, on the occupation forces of any Party in Europe, on the islands under the jurisdiction of any Party in the North Atlantic area north of the Tropic of Cancer or on the vessels or aircraft in this area of any of the Parties.

##### "ARTICLE 7

"This Treaty does not affect, and shall not be interpreted as affecting, in any way the rights and obligations under the Charter of



the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

#### "ARTICLE 8

"Each Party declares that none of the international engagements now in force between it and any other of the Parties, or any third state is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

#### "ARTICLE 9

"The Parties hereby establish a council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The council shall be so organized as to be able to meet promptly at any time. The council shall set up such subsidiary bodies as may be necessary; in particular it shall establish immediately a defense committee which shall recommend measures for the implementation of Articles 3 and 5.

#### "ARTICLE 10

"The Parties may, by unanimous agreement, invite any other European state in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty. Any state so invited may become a party to the Treaty by depositing its instrument of accession with the Government of the United States of America. The Government of the United States of America will inform each of the Parties of the deposit of each such instrument of accession.

#### "ARTICLE 11

"This Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which will notify all the other signatories of each deposit. The Treaty shall enter into force between the states which have ratified it as soon as the ratifications of the majority of the signatories, including the ratifications of Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom and the United States, have been deposited and shall come into effect with respect to other states on the date of the deposit of their ratifications.

#### "ARTICLE 12

"After the Treaty has been in force for ten years, or at any time thereafter, the Parties shall, if any of them so requests, consult together for the purpose of reviewing the Treaty, having regard for the factors, then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

#### "ARTICLE 13

"After the Treaty has been in force for twenty years, any Party may cease to be a party one year after its notice of denunciation has been given to the Government of the United States of America, which will inform the Governments of the other Parties of the deposit of each notice of denunciation.

#### "ARTICLE 14

"This Treaty, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof will be transmitted by that Government to the Governments of the other signatories.

"In witness whereof, the undersigned plenipotentiaries have signed this Treaty.

"Done at Washington, the fourth day of April, 1949.

"For the Kingdom of Belgium:

P. H. SPAAK  
SILVERCRUX

"For Canada:

LESTER B. PEARSON  
H. H. WRONG

"For the Kingdom of Denmark:

GUSTAV RASMUSSEN  
HENRIK KAUFFMANN

"For France:

SCHUMAN  
H. BONNET

"For Iceland:

BJARNI BENEDIKTSSON  
THOR THORS

"For Italy:

SFORZA  
ALBERTO TARCHIANI

"For the Grand Duchy of Luxembourg:

JOS BECH  
HUGUES LE GALLAIS

"For the Kingdom of the Netherlands:

STIKKER  
E. N. VAN KLEFFENS

"For the Kingdom of Norway:

HALVARD M. LANGE  
WILHELM MUNTHE MORGENSTIERNE

"For Portugal:

JOSÉ CAEIRO DA MATTA  
PEDRO THEOTÔNIO FERREIRA

"For the United Kingdom of Great Britain and Northern Ireland:

ERNEST BEVIN  
OLIVER FRANKS

"For the United States of America:

DEAN ACHESON

"I CERTIFY THAT the foregoing is a true copy of the North Atlantic Treaty signed at Washington on April 4, 1949 in the English and French languages, the signed original of which is deposited in the archives of the Government of the United States of America.

"IN TESTIMONY WHEREOF, I, DEAN ACHESON, Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this fourth day of April, 1949.

"DEAN ACHESON

"[SEAL]

"Secretary of State.

"By M. P. CHAUVIN

"Authentication Officer  
"Department of State."

#### 3. BACKGROUND OF TREATY

The paramount desire of the American people is and always has been for peace and freedom. Since 1776, they have constantly striven, and sometimes fought, to maintain their own freedom and to further the development of freedom elsewhere. They have always sought to live in peace with all men.

Since 1823, when the Monroe Doctrine was promulgated, this Government has contributed to the peace and freedom of the Americas by making clear that it would regard an armed attack upon any part of the Americas as an attack upon the United States. No other doctrine has become more deeply imbedded in American foreign policy. In 1947 all the American Republics joined in signing the Treaty of Rio de Janeiro, which provided that each would regard an attack on any one of them as an attack upon all.

#### Since World War II

In 1945 the United States Government and the American people wholeheartedly accepted the obligations of the Charter of the United Nations. In doing so they undertook the obligation not to use force except in conformity with the Charter and the responsibility, not only of living up to that obligation but of using their influence to see that

other powers live up to it. No government has labored harder or more unceasingly to reach international understanding through the United Nations and to make the United Nations a more effective instrument.

Unfortunately one great power and a small group of nations under its domination have not only refused to cooperate in the establishment of a just and lasting peace, but have sought to prevent it, both within and without the United Nations. That power and its fifth columns in other countries have sought to prevent the establishment of such a peace. It has sought to obstruct efforts for the promotion of human welfare and stability in order to profit from human misery and hunger in propagating its own system and advancing its own imperialistic ends.

This threat to free institutions everywhere has caused free nations to draw together in increased cooperation for both defense and economic recovery, as reflected in the Brussels Treaty and the Convention for European Economic Cooperation. The United States Government, in giving effect to the desire of the American people to assist in promoting peace and freedom, has taken far-reaching steps to this end in the act to provide for assistance to Greece and Turkey and in the European recovery program of 1948 and 1949.

Senate Resolution 239: The concern of the American people at the unfavorable trend to postwar developments led to the introduction into the Senate during the Eightieth Congress of a large number of resolutions which aspired to change the United Nations Charter or to chart a more effective course for United States foreign policy through the United Nations. The committee thoroughly canvassed the issues involved, in close cooperation with the Department of State, and, on May 19, 1948, unanimously approved Senate Resolution 239, which sought to focus these aspirations on the most constructive measures it considered practicable.

That resolution was adopted by the Senate on June 11, 1948, by a vote of 64 to 4. It advised the President—

"of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter:

"(1) Voluntary agreement to remove the veto from all questions involving pacific settlements of international disputes and situations, and from the admission of new members.

"(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

"(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security.

"(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting its national security.

"(5) Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

"(6) If necessary, after adequate effort toward strengthening the United Nations, review of the Charter at an appropriate time by a General Conference called under article 109 or by the General Assembly."

Pursuant to this advice the President in July authorized the Secretary of State to enter into exploratory conversations on the

security of the North Atlantic area with representatives of the Governments of Belgium, Canada, France, Luxemburg, the Netherlands, and the United Kingdom. These conversations resulted in October in agreement that the establishment by treaty of a collective defense arrangement for the North Atlantic area within the framework of the United Nations Charter was desirable and necessary. The North Atlantic Treaty was accordingly negotiated and signed on April 4, 1949, by representatives of the seven governments which had participated in the initial conversations and of the Governments of Norway, Denmark, Iceland, Italy, and Portugal.

**Executive-legislative cooperation:** The committee commends the close cooperation between the executive branch and the Senate, which has characterized the development of this treaty from inception to conclusion as an example of how important matters in the field of foreign relations should be handled. First the committee and the Department of State considered together the problems facing the United States in this field and the courses of action best suited to deal with them. The Senate then gave the President its advice as to particular objectives to be sought. The executive branch faithfully followed the advice of the Senate and, during the negotiations with the other governments, consulted fully with the committee, which played an effective part in formulating the terms of the treaty. From the beginning the deliberations of both the committee and the Senate on Senate Resolution 239 and the treaty have been conducted on a wholly nonpartisan basis. Finally, in order to give the American and other peoples the earliest possible opportunity to consider the treaty, its terms were made public considerably in advance of signature, as soon as they had been agreed upon by the negotiating governments.

#### 4. COMMITTEE HEARINGS AND ACTION

The committee discussed with the Secretary of State the draft of the North Atlantic Treaty in two informal executive meetings on February 18 and March 8. The treaty, made public on March 18, was signed in Washington on April 4, and was transmitted to the Senate on April 12. Before commencing public hearings the committee met again on April 21 to consider the relationship of the treaty to the proposed military-assistance program. Public hearings, beginning on April 27, were held on 16 days—April 27-29, May 2-6, 9-13, and 16-18. Besides the committee members, various Senators attended or participated in the cross-examination of the witnesses. The very extensive and thorough hearings comprise three printed volumes.

The first administration witness was Secretary of State Dean G. Acheson on April 27, 1949. The Hon. Warren R. Austin, Chief, United States Mission to the United Nations; Hon. Louis Johnson, Secretary of Defense; Hon. W. A. Harriman, United States special representative in Europe of the Economic Cooperation Administration; Hon. Robert A. Lovett, former Under Secretary of State, and Gen. Omar N. Bradley, Chief of Staff of the United States Army and representing the Joint Chiefs of Staff, completed the testimony presented for the administration by May 3.

In the succeeding weeks the committee heard all witnesses who requested to be heard. Among the 90 nongovernmental witnesses were representatives from a number of our important business, labor, agricultural, church, veterans, and service groups. In addition, the committee also received communications from organizations, such as the American Federation of Labor, the United States Chamber of Commerce, and the Junior Chamber of Commerce, placing them on record as favoring the treaty.

Following the conclusion of public hearings, the committee met in executive session on June 2 and 6 to evaluate the evidence gained in committee hearings and to consider the committee report. On June 6 the committee voted unanimously (13-0) to report the treaty favorably to the Senate with the recommendation that it be approved for ratification.

#### PART II. GENERAL NATURE OF THE TREATY

The treaty establishes a collective defense arrangement for the North Atlantic area within the framework of the United Nations Charter and based upon the inherent right of individual or collective self-defense recognized by article 51 of the Charter. In many respects it is similar to and patterned upon the Treaty of Rio de Janeiro.

The 12 signatories of the treaty are Belgium, Canada, Denmark, France, Iceland, Italy, Luxemburg, the Netherlands, Norway, Portugal, the United Kingdom, and the United States.

The treaty is subject to review at any time after 10 years and any party may cease to be a party after 20 years; otherwise it is of indefinite duration.

#### GENERAL OBJECTIVES OF THE TREATY

The primary objective of the treaty is to contribute to the maintenance of peace by making clear the determination of the parties collectively to resist armed attack upon any of them.

It is designated to strengthen the system of law based upon the purposes and principles of the United Nations. It should go far to remove any uncertainty which might mislead potential aggressors as to the determination of the parties fully to carry out their obligations under the Charter and collectively to resist an armed attack.

The security of the North Atlantic area is vital to the national security of the United States and of key importance to world peace and security. The peoples of the North Atlantic area are linked together not only by the interdependence of their security but by a common heritage and civilization and devotion to their free institutions, based upon the principles of democracy, individual liberty and the rule of law. It is this common heritage and civilization and these free institutions which the signatories are determined to defend.

The treaty is designed to contribute toward the further development of peaceful and friendly international relations, to strengthen the free institutions of the parties and promote better understanding of the principles upon which they are founded, to promote conditions of stability and well-being, and to encourage economic collaboration. It should facilitate long-term economic recovery through replacing the sense of insecurity by one of confidence in the future.

Although it is intended that the general machinery and procedures provided in the Charter would be utilized in cases of disputes between the signatories, the treaty can of course be used as a regional arrangement under the United Nations for dealing with such matters as are appropriate for regional action within the meaning of chapter VIII of the Charter.

The obligations of national defense and advancing the welfare of its people are inherent in any government. The obligations to settle international disputes by peaceful means and to refrain from the threat or use of force, expressly reaffirmed in the treaty, were undertaken by this Government when it ratified the United Nations Charter.

#### NEW OBLIGATIONS

The new obligations undertaken by the United States in the treaty are—

1. To maintain and develop, separately and jointly and by means of continuous and effective self-help and mutual aid, the individual

and collective capacity of the parties to resist armed attack (art. 3);

2. To consult whenever, in the opinion of any of the parties, the territorial integrity, political independence, or security of any of them is threatened (art. 4);

3. To consider an armed attack upon any of the parties in the North Atlantic area an attack against them all (art. 5); and

4. In the event of such an attack, to take forthwith, individually and in concert with the other parties, such action as the United States deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area (art. 5).

The treaty provides for a council and such subsidiary agencies as may be necessary, including a defense committee, to assist the parties in giving effect to the treaty.

#### SAFEGUARDS

The treaty in letter and in spirit is purely defensive. It is directed against no one; it is directed solely against aggression.

The treaty expressly provides that all of its provisions must be carried out in accordance with the respective constitutional processes of the parties.

The provisions of the treaty are expressly subordinated to the purposes, principles, and provisions of the United Nations Charter. The provisions of the Charter, wherever applicable, control every activity undertaken under the treaty.

#### PART III. ANALYSIS AND INTERPRETATION

##### PREAMBLE

"The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

"They are determined to safeguard the freedom, common heritage, and civilization of their peoples, founded on the principles of democracy, individual liberty, and the rule of law.

"They seek to promote stability and well-being in the North Atlantic area.

"They are resolved to unite their efforts for collective defense and for the preservation of peace and security.

"They therefore agree to this North Atlantic Treaty."

##### THE PURPOSES AND SPIRIT OF THE TREATY

The preamble states clearly and simply the purpose, intent, and spirit of the treaty. The committee endorses this declaration, which is formal recognition of the common interests, developing unity, and increasing interdependence of the North Atlantic community.

It should be emphasized, however, that the preamble is no expression of narrow regionalism for the members' will to live in peace is "with all peoples and all governments"—the primary purpose of the Charter of the United Nations. Moreover, peace, stability, and well-being in the North Atlantic area are of universal advantage in the cause of peace.

While cognizant of the elements of common heritage and civilization, and of mutually acceptable principles, there is no intent to impose these upon other peoples. There is the determination, however, to safeguard the fundamental and dynamic nature of this common heritage which includes, under God, the basic moral principles of democracy, individual liberty, and the rule of law.

##### ARTICLE 1.—PEACEFUL SETTLEMENT OF DISPUTES

"The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice, are not endangered, and to refrain in their international relations from



the threat or use of force in any manner inconsistent with the purposes of the United Nations."

In this article the members of the pact reaffirm the solemn obligations which they have accepted under the United Nations Charter to settle all their international disputes by peaceful means. The committee is convinced that the entire text of the treaty, and particularly this article, makes abundantly clear the will of the signatories for peace and their desire to threaten no one.

Since the Charter spells out in detail the machinery and the procedures which are available for such purposes, there is no need to provide any new machinery or procedures in the treaty.

By becoming parties to the treaty, countries which are not members of the United Nations, such as Italy and Portugal, accept the obligations set forth in article 2 of the Charter to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered. Article 33 and other articles of the Charter set forth means of settling such disputes which are available for nonmembers as well as members of the United Nations.

#### ARTICLE 2.—DEVELOPMENT OF PEACEFUL AND FRIENDLY RELATIONS

"The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them."

Article 2 is a reaffirmation of faith. It demonstrates the conviction of the parties that peace is positive and dynamic, that real peace is far more than the mere absence of war. The parties undertake to strengthen their free institutions, promote conditions of stability and well-being, and encourage economic collaboration.

The unilateral undertaking of the parties to strengthen their free institutions recognizes that free institutions have succumbed in many places of the world and that eternal vigilance is still the price of liberty. The effort to secure better understanding of the principles upon which these institutions are based is a positive appreciation of the role of public opinion, both among the signatories and throughout the world. Free nations must take affirmative measures to this end, rather than resort to censorship or iron curtains. The gospel of freedom can best be spread by example.

The committee supports these objectives as desirable goals to be sought by the signatory parties. It believes that their progressive attainment will contribute to stability, well-being, and real peace.

#### No legislative action required

Considerable attention has been given by the committee to the question whether article 2, in stating these objectives, imposes on the United States any obligation to take specific legislative action. Would the references to "strengthening free institutions" and "eliminate conflict in their international economic policies," for example, mean that we would be obligated to enact additional legislation relating to civil rights, the reduction of tariffs, and similar matters?

The committee is completely satisfied that this article involves no obligation on us to take any legislative action whatsoever. In fact, no such obligations were contemplated by the negotiators and no new machinery is envisaged for these purposes under the treaty. The article does, however, provide encouragement for individual or bilateral action or action through such existing agen-

cies as the United Nations, the Brussels pact, and the Organization of European Economic Cooperation.

The committee finds no implication whatever in article 2 that the United States could be called upon under the treaty to contribute toward a long-term recovery program for Europe.

#### ARTICLE 3.—SELF-HELP AND MUTUAL AID

"In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack."

Article 3 embodies in the treaty the principle of continuous and effective self-help and mutual aid established by Senate Resolution 239 as a prerequisite to United States association in any collective defense arrangement. This principle has formed the basis of the European recovery program. In both cases the committee is convinced that the greater degree of coordination achieved the greater will be the results at the least cost to each participant. The committee also wishes to emphasize that under this principle each participant must do its utmost to help itself and its share to help the others. There are no free rides. A definite obligation is undertaken by each party to contribute, individually and collectively, to the defense of the North Atlantic area.

A realistic assessment of the defensive capacity necessary to resist armed attack will be a function of the organization to be established under article 9. On the basis of this assessment each party would determine for itself what it could most effectively contribute in the form of facilities, military equipment, productive capacity, manpower, etc. This decision would be taken in the light of the resources and geographical location of the individual state and with due regard for its economic stability. There is no specific obligation as to the timing, nature, and extent of assistance to be given by any party.

Clearly the capacity of the member states to resist armed attack depends primarily upon their basic economic health. The committee, therefore, fully agrees with the view of the signatories that measures to increase the military strength of the parties must not be permitted to prevent achievement of the objectives of the European recovery program.

It has been suggested in some quarters that article 3 might be interpreted in such a way as to provide the basis for an armaments race. The committee rejects any such interpretation. Capacity to resist armed attack includes all elements, including economic strength, and is relative to the degree of danger and the strength of potential aggressors. If the treaty and the United Nations are successful in providing substantially increased security, it should be possible to have greater capacity to resist armed attack with smaller military forces. The essential objective is increased security, not increased military strength.

Questions have also been raised as to whether the United States, under article 3, would be obligated to assist the other parties to develop the capacity of their overseas territories to resist armed attack. The objective of the treaty is to maintain the peace and security of the North Atlantic area. During the negotiations there were no suggestions that this article should be interpreted as applying to any other area. The United States is under no obligation to assist the other parties in building up military establishments for use in their overseas territories, nor to engage in resisting armed attack outside the area defined in article 6.

The committee calls attention to the fact that the United States stands to gain great benefits from the principle of "continuous

and effective self-help and mutual aid." Implementation of this principle will not only help deter aggression but will go far, in the event all the efforts of the parties for peace should fail, to assure the successful defense of the United States and the collective strength essential for victory.

#### ARTICLE 4—CONSULTATION

"The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened."

In article 4 the parties undertake to consult whenever any party so requests on the basis that the territorial integrity, political independence, or security of any of them is threatened. A situation arising anywhere might be cause for consultation, provided that it constituted a threat to one or more of the parties and might involve obligations under the treaty. The committee underlines the fact that consultation could be requested only when the element of threat is present and expresses the opinion that this limitation should be strictly interpreted.

Many well-known techniques have been developed whereby internal disorders or coups are deliberately engineered by outside powers to further their own interests. Accordingly, consultation might also be sought under article 4 in the case of an internal disorder where circumstances indicated that such disorder was being aided and abetted by assistance from outside the country affected.

Article 4 carries no obligation other than that of consultation. Whether or not any action was taken following consultation, or what form such action might take, would be matters for each party to decide for itself. It should be emphasized, however, that in no event is collective enforcement action, such as that defined in articles 41 and 42 of the Charter, contemplated.

#### Use of United Nations machinery

Some sincere friends of the United Nations have expressed concern lest article 4 be implemented in such a way as to impair the usefulness of the United Nations. Clearly such a danger would exist if consultations under the pact became so frequent they tended to replace United Nations machinery, or if such consultations resulted in a crystallization of views in advance of United Nations meetings and encouraged pact members to vote as a bloc. It would be particularly unfortunate if our Government took part in exclusive consultations with Atlantic Pact members over situations of deep concern to friendly states in Asia, Africa, Latin America, or the Middle East.

The committee is confident that the framers of the Atlantic Pact did not intend that article 4 should infringe upon the efficacy of United Nations machinery or in any way impair its usefulness. Clearly there should be no duplication of United Nations machinery. It is the opinion of the committee that consultation under article 4 should not be sought unless the United Nations for some reason is prevented from dealing with the situation giving rise for consultation. The committee wishes to emphasize this view since it has consistently supported the United Nations as the cornerstone of American foreign relations, and would be loath to see any action taken not entirely in harmony with this policy.

#### ARTICLE 5—ACTION IN THE EVENT OF ARMED ATTACK

"The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by



Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

"Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security."

Article 5 is the heart of the treaty. In it the parties establish the principle that an armed attack against one or more of them is to be considered an attack against them all. In accepting this principle, the committee believes that the United States is acting on the basis of a realization brought about by its experience in two world wars that an armed attack in the North Atlantic area is in effect an attack on itself. The solemn acceptance of this principle by all the parties should have a powerful deterring effect on any would-be aggressor by making clear to him in advance that his attack would be met by the combined resistance of all the nations in the North Atlantic Pact.

#### *Right of self-defense*

From a legal point of view, article 5 is solidly based on the inherent right of self-defense recognized in article 51 of the United Nations Charter. Article 51 in part reads as follows:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security."

Obviously, the right of individual or collective self-defense does not derive from the Charter; rather it is an inherent right of all states which is expressly recognized and preserved by article 51.

The specific commitment undertaken by each party in article 5 is that in the event of an armed attack in the North Atlantic area it will "assist the party or parties so attacked by taking forthwith, individually and in concert with the other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area."

#### *Determination whether attack has occurred*

The committee notes that article 5 would come into operation only when a nation had committed an international crime by launching an armed attack against a party to the treaty. The first question which would arise would be whether or not an armed attack had in fact occurred. If the circumstances were not clear, there would presumably be consultation but each party would have the responsibility of determining for itself the answer to this question of fact.

Experience has shown that armed attack is ordinarily self-evident; there is rarely, if ever, any doubt as to whether it has occurred or by whom it was launched. In this connection, it should be pointed out that the words "armed attack" clearly do not mean an incident created by irresponsible groups or individuals, but rather an attack by one state upon another.

Obviously, purely internal disorders or revolutions would not be considered "armed attacks" within the meaning of article 5. However, if a revolution were aided and abetted by an outside power such assistance might possibly be considered an armed attack. Each party would have to decide, in the light of the circumstances surrounding the case and the nature and extent of the assistance, whether in fact, an armed attack had occurred and article 5 thus brought into play.

#### *"Such action as it deems necessary"*

The second problem is the nature and extent of the action contemplated as a result of armed attack. The action specified is that deemed necessary "to restore and maintain the security of the North Atlantic area." The committee emphasizes that this clearly does not commit any of the parties to declare war. Depending upon the gravity of the attack, there are numerous measures short of the use of armed force which might be sufficient to deal with the situation. Such measures could involve anything from a diplomatic protest to the most severe forms of pressure.

In this connection, the committee calls particular attention to the phrase "such action as it deems necessary." These words were included in article 5 to make absolutely clear that each party remains free to exercise its honest judgment in deciding upon the measures it will take to help restore and maintain the security of the North Atlantic area. The freedom of decision as to what action each party shall take in no way reduces the importance of the commitment undertaken. Action short of the use of armed force might suffice, or total war with all our resources might be necessary. Obviously article 5 carries with it an important and far-reaching commitment for the United States; what we may do to carry out that commitment, however, will depend upon our own independent decision in each particular instance reached in accordance with our own constitutional processes.

#### *President and Congress*

During the hearings substantially the following questions were repeatedly asked: In view of the provision in article 5 that an attack against one shall be considered an attack against all, would the United States be obligated to react to an attack on Paris or Copenhagen in the same way it would react to an attack on New York City? In such an event does the treaty give the President the power to take any action, without specific congressional authorization, which he could not take in the absence of the treaty?

The answer to both these questions is "No." An armed attack upon any State of the United States by its very nature would require the immediate application of all force necessary to repel the attack. The Constitution itself recognizes the special significance of such a calamity by providing that the United States shall protect each State against invasion. Similarly, the government of any nation party to the treaty would feel itself under obligation and under imminent physical need to give the highest priority to essential countermeasures to meet an armed attack upon its own homeland.

In the event any party to the treaty were attacked the obligation of the United States Government would be to decide upon and take forthwith the measures it deemed necessary to restore and maintain the security of the North Atlantic area. The measures which would be necessary to accomplish that end would depend upon a number of factors, including the location, nature, scale, and significance of the attack. The decision as to what action was necessary, and the action itself, would of course have to be taken in accordance with established constitutional procedures as the treaty in article 11 expressly requires.

Article 5 records what is a fact, namely, that an armed attack within the meaning of the treaty would in the present-day world constitute an attack upon the entire community comprising the parties to the treaty, including the United States. Accordingly, the President and the Congress, each within their sphere of assigned constitutional responsibilities, would be expected to take all action necessary and appropriate to protect the United States against the consequences and dangers of an armed attack committed

against any party to the treaty. The committee does not believe it appropriate in this report to undertake to define the authority of the President to use the armed forces. Nothing in the treaty, however, including the provision that an attack against one shall be considered an attack against all, increases or decreases the constitutional powers of either the President or the Congress or changes the relationship between them.

#### *Duration of action*

Measures may be taken under article 5 only when an armed attack has occurred and must be terminated whenever the Security Council has taken the measures necessary to restore and maintain international peace and security. Thus action under article 5 will never be necessary unless the Security Council has been unable to meet its responsibilities and must cease whenever the Security Council has regained control of the situation. The treaty, like article 51 of the Charter, provides insurance against a situation which the Security Council is unable to control. The committee is convinced that the treaty, in making clear that an aggressor could not profit from such a situation, provides a valuable supplement to the Charter in reducing the possibility that it might arise.

#### **ARTICLE 6—DESCRIPTION OF NORTH ATLANTIC AREA**

"For the purpose of Article 5 an armed attack on one or more of the Parties is deemed to include an armed attack on the territory of any of the Parties in Europe or North America, on the Algerian departments of France, on the occupation forces of any Party in Europe, on the islands under the jurisdiction of any Party in the North Atlantic area north of the Tropic of Cancer or on the vessels or aircraft in this area of any of the Parties."

Article 6 specifies the area within which an armed attack would bring the provisions of article 5 into operation. Thus, the obligations under article 5 are strictly limited to the area described.

The word "area" is intended to cover the general region, rather than merely the North Atlantic Ocean in a narrow sense, and includes the western part of the Mediterranean as well as the North Sea and most of the Gulf of Mexico. Western Europe faces on the Atlantic even if all the nations of the western European community do not.

In view of the purpose of the treaty to deter armed attack, the area covered by the treaty was deliberately described in general terms rather than defined by lines on a map. The committee agrees that this general description is preferable, for it would seem inconsistent with the spirit of the treaty to provide that article 5 would come into operation in the event of an attack, for example, upon ships or aircraft at a given point but not if the attack occurred a few miles away. If there should be any doubt as to whether or not an armed attack as taken place within the area specified in the treaty, each party would decide for itself, in the light of the facts surrounding the particular situation and the significance of the attack.

#### *Not applicable to overseas territories*

During the hearings the question arose as to whether the obligations contained in article 5 would apply with respect to the dependent overseas territories of the signatory states. Since these territories are located in all parts of the world the problem assumes major proportions. The committee wishes to emphasize the fact that article 5 would not apply to any of the overseas territories outside the North Atlantic area as described in article 6. The three Algerian departments of France (which constitute only a small part of the total territory of Algeria) are an integral part of metropolitan France under the French Constitution and are not overseas possessions. The only outlying territories



covered are the islands in the North Atlantic area, Alaska, the Aleutian Islands, and the islands of the Canadian Arctic.

#### ARTICLE 7—PARAMOUNT AUTHORITY OF THE UNITED NATIONS

"This Treaty does not affect, and shall not be interpreted as affecting, in any way the rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security."

Let there be any misunderstanding about the relative position of the treaty and the United Nations Charter, article 7 makes clear the overriding character of the Charter with respect to the obligations of the signatories who are also members of the United Nations. This principle is in accordance with the provisions of article 103 of the Charter which stipulates that—

"In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail."

The provisions of the Charter thus govern, wherever they may be applicable, any activities undertaken under the treaty.

The Charter also bestows upon the Security Council the primary responsibility for the maintenance of international peace and security. In the opinion of the committee the treaty rightly recognizes the primary responsibility of the Security Council in this field and makes clear the intent of the signatories not to compete with this responsibility or interfere with it in any way.

This desire not to compete with or impair the authority of the United Nations is applicable not only to the Security Council but to other organs of the United Nations, which, the committee understands, the parties intend to use wherever appropriate.

#### ARTICLE 8—POSSIBLE CONFLICT WITH OTHER TREATIES

"Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third state is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty."

Before the details of the Atlantic Pact were made public, considerable concern was expressed lest its terms conflict with certain treaties and agreements already in force. Both France and Great Britain, for example, have treaties of alliance negotiated with the Soviet Union during World War II, which obligate the parties to assist one another in the event of an attack by Germany, of any state associated with Germany in the war, and not to conclude any alliance, or take part in any coalition, directed against either party. The Soviet Government asserts that under these treaties France and Britain could not become parties to the pact. The committee thinks it is perfectly obvious that the treaty is not an alliance or coalition directed against any nation, but that it is directed solely against aggression.

Article 8 is designed to make perfectly clear that none of the existing international engagements of any of the signatories is in conflict with the provisions of the treaty. Each signatory has solemnly declared that in fact there is no conflict and that, in effect, they have no commitments which would prevent them from carrying out their obligations under the pact. The committee sees no reason why the United States Government should question the validity of this declaration by the signatories.

#### Italian peace treaty

The committee also examined the terms of the Italian peace treaty, which limit the size of the Italian armed forces and the extent

to which rearmament will be possible. Given these limitations the question naturally arises as to whether Italy could live up to her obligations under article 3 of the Atlantic Pact to develop her capacity to resist armed attack. The matter is adequately disposed of by the following statement supplied for the record by the State Department:

"It is understood by all parties to the treaty that the participation of Italy in the North Atlantic Pact has no effect on the military provisions, or any other provisions, of the Italian peace treaty. Any contribution which Italy makes to the collective capacity for defense of the North Atlantic area must be within the limits fixed by the military provisions of the Italian peace treaty."

#### ARTICLE 9—ORGANIZATION UNDER THE TREATY

"The Parties hereby establish a council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The council shall be so organized as to be able to meet promptly at any time. The council shall set up such subsidiary bodies as may be necessary; in particular it shall establish immediately a defense committee which shall recommend measures for the implementation of Articles 3 and 5."

While some machinery is clearly necessary for the effective implementation of the treaty, it would be inadvisable to attempt to elaborate this machinery in detail in the treaty. On the contrary, it is preferable that the machinery be described only in broad outline in order that the specific organization may be evolved in the light of need and experience. The committee urges that the organization set up be as simple as possible consistent with its function of assisting implementation of the treaty and that maximum use be made of existing organizations.

Since the council is given authority only "to consider matters concerning the implementation" of the treaty, its powers are purely advisory with respect to governmental action. Its purpose is to make recommendations to the governments and to assist them in reaching coordinated decisions. It should be emphasized, however, that the responsibility for making decisions lies in the respective governments rather than in the council. Since the council will have only advisory powers, no voting procedure is needed or contemplated. No party will have a veto, nor can it be coerced into taking a decision against its own judgment.

The defense committee will concern itself primarily with making plans and recommendations for the implementation of articles 3 and 5, i. e., preparation for the exercise of the inherent right of individual or collective self-defense. Being subordinate to the council, it, too, will have only advisory powers. The establishment of any planning or other agencies under the defense committee will be a function of the council.

#### ARTICLE 10—NEW MEMBERS

"The Parties may, by unanimous agreement, invite any other European state in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty. Any state so invited may become a party to the Treaty by depositing its instrument of accession with the Government of the United States of America. The Government of the United States of America will inform each of the Parties of the deposit of each such instrument of accession."

Unanimous agreement is required to invite other states to join the treaty. Other European states in the North Atlantic area may in the future be considered desirable additions to the pact and in a position to accede to it. Since the other American Republics are already signatories of the Rio Treaty no provision was made for their accession to this pact.

#### Senate action necessary on new members

Inasmuch as the admission of new members might radically alter our obligations under the pact, the committee examined article 10 very carefully. The question arose whether any United States decision respecting new members would be based solely on Presidential action or would require Senate approval. Consequently, the committee was fully satisfied by the commitment of the President, delivered by the Secretary of State, that he would consider the admission of a new member to the pact as the conclusion of a new treaty with that member and would seek the advice and consent of the Senate to each such admission. The committee considers this an obligation binding upon the Presidential office.

#### Spain and Germany

The signatory countries did not invite Spain to participate though it is recognized that Spain is strategically important to the defense of the North Atlantic area. Whether Spain will be invited to participate at a later date will depend upon the unanimous decision of the parties.

So many imponderables affect the current position of Germany, which is still under military occupation, that in the negotiations extensive consideration was not given to the inclusion of western Germany. Presumably, Germany will be reunited one day, but time is required so that the German people may prove their attachment to the principles of the treaty. Meanwhile, it should be noted that Germany receives some protection since the treaty covers armed attack upon the occupation forces.

#### ARTICLE 11—CONSTITUTIONAL PROCESSES

"This Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which will notify all the other signatories of each deposit. The Treaty shall enter into force between the states which have ratified it as soon as the ratifications of the majority of the signatories, including the ratifications of Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom, and the United States, have been deposited and shall come into effect with respect to other states on the date of the deposit of their ratifications."

The committee and the Senate, in Senate Resolution 239, attached great importance to assuring that any such agreement as the pact would not only be ratified in accordance with the "respective constitutional processes" of the signatory nations, but also that all its provisions would be carried out under the same constitutional safeguards. Constitutional processes for giving effect to the will of the people are the very essence of democracy and it is only through wide popular support that the treaty can be given the strength and vitality necessary to assure its success.

The committee wishes to emphasize the fact that the protective clause "in accordance with their respective constitutional processes" was placed in article 11 in order to leave no doubt that it applies not only to article 5, for example, but to every provision in the treaty. The safeguard is thus all-inclusive.

The treaty in no way affects the basic division of authority between the President and the Congress as defined in the Constitution. In no way does it alter the constitutional relationship between them. In particular, it does not increase, decrease, or change the power of the President as Commander in Chief of the armed forces or impair the full authority of Congress to declare war.

Except for the proposed foreign military assistance program, no legislation related to

the treaty is presently contemplated or considered necessary. The treaty would constitute legislative authorization for our share of the expenses of the organization contemplated in article 9, but appropriations by Congress would be necessary. As the United States representatives on the council and the defense committee will have no authority to bind the United States Government, the committee believes that officials previously appointed with the confirmation of the Senate will not require further confirmation for these assignments.

#### *Effectiveness of the democratic process*

It has been questioned whether a treaty subordinating action to the constitutional processes of 12 democratic nations offers sufficient certainty and immediacy of action effectively to deter aggression. The committee is convinced that it does. The expression of the will of a whole people offers far more certainty than any commitment by a dictator. The action of the democracies in the past great war is concrete evidence of their ability to act with the necessary speed in the event of an emergency.

#### *Entry into force*

The treaty enters into force when instruments of ratification have been deposited by each of the seven governments which participated in the initial negotiations—Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom, and the United States. To date, Canada is the only signatory which has deposited its ratification, but parliamentary approval has been given in Great Britain, Norway, Denmark, Belgium, Luxembourg, and Iceland.

#### ARTICLE 12—REVIEW AND AMENDMENT OF TREATY

"After the Treaty has been in force for ten years, or at any time thereafter, the Parties shall, if any of them so requests, consult together for the purpose of reviewing the Treaty, having regard for the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security."

The treaty takes into account the processes of peaceful change and the need for flexibility in a rapidly changing world by providing that its terms may be reviewed at any time after it has been in force 10 years. Of course, earlier review is possible by unanimous consent. For purposes of review, the signatories will take into account the factors affecting peace and security in the North Atlantic area. The committee draws particular attention to the explicit reference that developments in the United Nations, including universal as well as regional arrangements, will figure significantly among such factors.

Apart from the general review contemplated in article 12 the treaty makes no provision for particular amendments. If such amendments were advanced, they would require the unanimous approval of the signatory states. In our own case the advice and consent of the Senate would be required. The committee believes that the interests of the United States would be amply protected by these safeguards.

#### ARTICLE 13—DURATION OF TREATY

"After the Treaty has been in force for twenty years, any Party may cease to be a party one year after its notice of denunciation has been given to the Government of the United States of America, which will inform the Governments of the other Parties of the deposit of each notice of denunciation."

This article provides that after the treaty has been in effect for 20 years any party may cease to be a party 1 year after notice of denunciation has been given. There is no

provision for individual members to withdraw prior to that time.

The committee gave serious thought to the problems involved in the duration of the treaty. In view of the difficulties of forecasting developments in the international situation in the distant future, rigidity for too long a time clearly would be undesirable. On the other hand, the committee agrees that the stability and confidence which are so essential for the security of the North Atlantic area could not adequately be established if the treaty were of short duration. It accepts as a desirable solution, therefore, the indefinite duration of the treaty, with provision for review after 10 years, and for withdrawal after 20 years.

The treaty has been criticized in some quarters because it contains no provision for expulsion or the suspension of rights of a recalcitrant member which might fail to carry out its obligations as a result, for example, of its succumbing to communism. Given the nature of the pact and the close community of interests of the signatory states, the committee believes that such a provision would be both unnecessary and inappropriate. Obviously, however, if a member persistently violates the principles contained in the pact, the other members will no longer be obligated to assist that member. Clearly it would fail "to safeguard the freedom . . . of its people, 'founded on the principles of democracy, individual liberty, and the rule of law' as set forth in the preamble, and to strengthen its 'free institutions' as provided in article 2. Presumably it would also decline to participate in 'mutual aid' (art. 3), and might well violate its undertakings in article 8 'not to enter into any international engagement in conflict with this treaty.' A country suffering such a fate would be in no position either to carry out its own obligations under the treaty or to expect assistance from the other parties.

#### ARTICLE 14—AUTHENTICITY OF TEXTS

"This Treaty, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified Copies thereof will be transmitted by that Government to the Governments of the other signatories."

Article 14 is a formal article concerning the equal authenticity of the English and French texts which have been found to be identical in meaning. Each text being equally authentic, as is the case with any treaty done in more than one language, neither prevails over the other, and any differences in interpretation which might arise would have to be settled by negotiation.

#### PART IV. OTHER FACTORS CONSIDERED BY THE COMMITTEE

##### I. UNITED STATES INTEREST IN OTHER AREAS OF THE WORLD

We have learned that the security of the North Atlantic area is vital to our own peace and safety. In accepting the obligations of the treaty, therefore, we merely make clear that we are following a course of action which we would follow without the treaty. If we were to accept the same commitments on a world-wide basis or in areas less vital to our national security, we might well run the danger of "spreading ourselves too thin."

Suggestions have been made that the United States enter into similar pacts with countries in the Middle East and Pacific areas. During the hearings members of the committee questioned administration witnesses specifically on this point. It was established that the United States Government is not currently considering participation in any other regional or collective defense arrangements.

Nevertheless, both the President and the Secretary of State have emphasized on sev-

eral occasions that our entry into collective defense arrangements in the Western Hemisphere and the North Atlantic area should not be taken by anyone to mean that we do not have a very real interest in the maintenance of peace and security everywhere. The committee fully concurs in this position. Our interest in peace in other areas was clearly expressed when we ratified the United Nations Charter and has been reiterated many times since. The special set of circumstances peculiar to Europe and the Atlantic community make the North Atlantic Treaty a logical development at this time.

##### 2. RELATIONSHIP OF THE TREATY TO THE UNITED NATIONS

As indicated throughout this report, the committee has given careful consideration to the relationship of the treaty to the United Nations. In view of the importance of this relationship, it seems desirable to review it here in general terms.

The committee is convinced that the treaty is wholly consistent with the Charter, that it will strengthen the system of law based on the purposes and principles of the United Nations, and that it will greatly assist in accomplishing the primary purpose of the United Nations—the maintenance of international peace and security.

##### *No duplication of United Nations machinery*

The treaty is clearly based upon the inherent right of individual or collective defense against armed attack, expressly recognized and preserved by article 51 of the Charter. It is not intended to duplicate in any way, either through consultation or action, the existing machinery and procedures established by the Charter. With respect to consultation, the committee has expressed the view in connection with article 4 that consultation should not be held under the treaty unless the United Nations is for some reason prevented from dealing with the particular situation which has arisen. With respect to action, the committee has noted that action under article 5 cannot be taken to prevent an armed attack and taken unless the Security Council has been that it must cease whenever the Security Council has been able to take the measures necessary to restore peace and security. The treaty specifically provides that the provisions of the Charter are paramount, wherever applicable, with respect to all activities undertaken under the treaty.

##### *Relationship of treaty to chapter VIII of Charter*

The question has been raised as to whether the treaty establishes a regional arrangement within the meaning of chapter VIII of the Charter. As stated earlier in this report, the treaty is intended primarily to establish a collective defense arrangement under article 51. However, it is not necessary to define the organization of the North Atlantic community as exclusively one or the other. The treaty need not be departmentalized. Its purpose is to assist in achieving the great purposes of the Charter, primarily the maintenance of peace. It can be utilized as a regional arrangement under chapter VIII or in any way, subject to the principles and all pertinent provisions of the Charter, which may be useful to accomplish those purposes.

##### *Application of article 51*

The question has also been raised as to whether it was contemplated at San Francisco that continuing collective defense arrangements would be established under article 51 or whether that article merely provided for spontaneous action after an armed attack had occurred.

Article 51, as well as articles 52-54, were included in the Charter at the instance of the United States and Latin-American delegations primarily in recognition of the



inter-American system. It was made amply clear during the debates at San Francisco that other similar arrangements were envisaged. Furthermore, Resolution 14 adopted by the Rio Conference paid tribute to the United States proposal: "which later became article 51 of the Charter of the United Nations, by virtue of which it has been possible to conclude the first treaty which develops the principle of collective self-defense."

Obviously neither individual nor collective self-defense can be exercised effectively unless it has been prepared in advance. It should be noted, however, that the treaty authorizes no action in advance of an armed attack, other than defensive preparations.

#### *No obligation to report defense plans*

It has also been asked whether the parties would be obligated by the Charter to report such defensive preparations to the Security Council. Article 51 stipulates, and the stipulation is expressly reaffirmed in article 5 of the treaty, that "measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council." The right of self-defense is not "exercised" until an armed attack has occurred. Neither article 51 nor any other article of the Charter requires members to report plans for the exercise of this right. It is true that article 54 requires member states to report to the Security Council on regional activities for the maintenance of peace. These activities, however, are clearly those contemplated in articles 52 and 53. If such activities are undertaken under the treaty they would, of course, be governed by the provisions of those articles. Article 54 can in no way be interpreted as applying to plans for collective defense under article 51.

#### 3. COMPARISON OF TREATY WITH OLD-FASHIONED MILITARY ALLIANCES

Some confusion may have arisen in the public mind due to the allegations of certain critics that the treaty is an "old-fashioned military alliance" of the type which Washington warned against in his farewell address. In the past, military alliances have varied widely in both their language and their intent. On the surface, at least, many of them were purely defensive in nature. The committee believes, however, that in actuality the present treaty is fundamentally different from the old-fashioned alliances which characterized European diplomacy during past centuries.

Some of these alliances constituted automatic commitments to go to war in the event the other parties became involved. The Holy Alliance, for example, provided that the parties "will on all occasions and in all places lend each other aid and assistance." Some of them were personal agreements concluded between kings or emperors who were often related to each other. Many of them were kept secret and often those which were made public were accompanied by secret understandings, with aggression and national aggrandizement in the minds of the signatories if not in the actual texts of the treaties. Most of them were limited to two or three parties.

The present treaty avoids all these undesirable aspects. Its entry into force and its execution depends upon the continuing support of the people of the signatory states given through their democratic constitutional processes. Moreover, it has been conceived within the framework of the United Nations Charter with all the solemn obligations against aggressive action which that document imposes upon its members. Finally, in both intent and language, it is purely defensive in nature. It comes into operation only against a nation which, by its own action, has proved itself an international criminal by violating the Charter and attacking a party to the treaty. It continues in operation only until the Security Council has taken the measures necessary

to restore and maintain peace and security. If it can be called an alliance, it is an alliance only against war itself.

#### 4. UNITED STATES ATTITUDE TOWARD COLONIAL POLICIES

Some opponents of the treaty have argued that its ratification by the United States might be construed as placing our stamp of approval on the colonial policies of other pact members. The committee categorically denies this assumption. The two things are completely unrelated. In accepting the treaty, the United States in no way indicates support, approval, or disapproval of the colonial policies of other signatories. The purpose of the treaty is to maintain the peace and security of the North Atlantic area and its commitment of assistance is limited to cases of armed attack within that area. Whether the United States will in fact support the colonial policies of any of the other signatories will depend entirely on our evaluation of those policies under the conditions then existing and not on any obligations assumed under the pact.

#### 5. RELATIONSHIP OF TREATY TO EUROPEAN RECOVERY

The European recovery program is designed to cure Europe's economic ills; the treaty is an antidote for insecurity. Obviously each of the programs can contribute much toward the success of the other. On the one hand, economic health is essential to stability and defensive strength. On the other hand, the treaty can do much to stimulate new business enterprise and increase production by dispelling the fear that has haunted western Europe since the war.

The committee believes it will be possible, with careful planning, to strengthen the military establishments of western Europe without retarding the progress of economic recovery. The two programs, however, are not directly connected. Various nations (Austria, Greece, Ireland, Sweden, Switzerland, Turkey, and the western zones of occupation in Germany) are participants in the OEEC but not in the treaty, while Canada and the United States are not members of the OEEC.

In the event there is competition between the two programs for manpower and materials, the committee has been assured that economic recovery will have first priority. The restoration of defense capacity will not be permitted to interfere with economic recovery. No increase in the armed forces of the parties, above that provided for in their present budgets, is currently contemplated. Moreover, increased production of military equipment must be undertaken within the existing slack of productive capacity so as not to interfere with production for civilian purposes.

Rather than hampering recovery the treaty should greatly stimulate and facilitate efforts for complete and long-term economic progress. Thus it should eventually make possible substantial savings for the United States, both in connection with the European recovery program and our own domestic Military Establishment.

#### 6. THE TREATY AND THE MILITARY ASSISTANCE PROGRAM

The committee did not consider in detail the military assistance program since legislation dealing with that matter has not yet been submitted to the Congress. It is understood, however, that the President will soon recommend legislation authorizing the transfer of military equipment and assistance to the Atlantic Pact signatories. The proposed program will request \$1,130,000,000 for members of the Atlantic Pact and approximately \$320,000,000 for other countries, including Greece and Turkey, making a total of \$1,450,000,000 for the fiscal year 1950.

Whether approval of the treaty by the United States would constitute any kind of commitment to support the military-assist-

ance program was discussed at considerable length during the hearings. Clearly the ratification of the treaty would commit the United States to the principle expressed in article 3, namely, to maintain and develop the individual and collective capacity of the signatories to resist armed attack "by means of continuous and effective self-help and mutual aid." It is equally clear, however, that article 3 does not bind the United States to accept the proposed military-assistance program or, for that matter, any particular kind of implementation program. It does bind our Government, as well as the other signatory governments, to the general principle of self-help and mutual aid. Each member of the pact will have to exercise its own honest judgment as to what steps it should take to give effect to this principle.

The State Department has assured the committee that during the negotiations no commitments of any kind were made by the United States to furnish military assistance. The European negotiators were constantly reminded that the implementation of article 3 by the United States would depend upon congressional action. While they were told that the administration intended to introduce legislation authorizing the transfer of military equipment, at the same time they were repeatedly warned that no assurances whatsoever could be given as to whether or not, in what form or in what amounts, such legislation would be approved.

With these factors in mind the committee agrees that the treaty and the military-assistance program should be considered separately by the Congress, each on its own merits. The committee further agrees that a Member of the Senate might vote for the treaty and still find valid reasons for opposing the program of implementation recommended by the administration. During the hearings several members of the committee publicly announced that their support for the pact did not necessarily mean they were going to approve the military-assistance program.

On this point the following statement of Secretary Acheson, as he testified before the committee, is pertinent:

"The judgment of the executive branch of this Government is that the United States can and should provide military assistance to assist the other countries in the pact to maintain their collective security. The pact does not bind the Congress to reach that same conclusion, for it does not dictate the conclusion of honest judgment. It does preclude repudiation of the principle or of the obligation of making that honest judgment. Thus, if you ratify the pact, it cannot be said that there is no obligation to help. There is an obligation to help, but the extent, the manner, and the timing is up to the honest judgment of the parties. I, therefore, earnestly trust that the Congress will see fit to enable this Government to carry out that aspect of its foreign policy represented by the proposed military-assistance program."

#### 7. EUROPEAN INTEGRATION

Since 10 of the nations forming the North Atlantic Pact are European nations, the committee considered the possible effect of the pact on the development of European integration in the economic and political fields. Much practical integration has already been achieved through the Benelux union and the Brussels Pact. The European recovery program, which should insure a degree of lasting economic integration of the participating nations, and the proposed council of Europe, which has at its objective cooperation in the political field, are concrete and encouraging steps toward unity.

The committee believes that the North Atlantic Pact, by providing means for cooperation in matters of common security and national defense, creates a favorable climate for further steps toward progressively closer European integration. Moreover, cooperation

for common security gives added momentum to the movement toward unification.

#### 8. THE TREATY AND THE GERMAN PROBLEM

While Germany is not a party to the North Atlantic Treaty the impact of the treaty upon Germany's future will be highly important. The committee believes it may make possible a solution of the German problem and a constructive integration of Germany into western Europe.

It should be kept in mind that all of the signatories of the pact, and particularly France and the other European countries, have suffered deeply from German aggression. All the signatory states are determined that Germany shall never again be permitted to threaten them. On the other hand, it is entirely possible that the German people may turn to the Soviet Union unless adequate and sincere efforts are made to provide them with a decent and hopeful future as an integral part of free Europe. Our European partners might be reluctant to accept Germany if it were not for the additional unity and security which the pact will afford.

The committee notes that there are already encouraging signs. In January 1949 the French Foreign Minister in a message to the German people declared that the German problem must be solved as part of the over-all European problem. He said:

"Our goal is above all to integrate all the European states in an association which should procure for all its members economic rehabilitation and political security."

Other European signatories have indicated similar views. Among the first concrete benefits of the pact were the highly satisfactory Anglo-Franco-United States agreements on Germany reached in April in Washington.

#### 9. WORLD OPINION

The committee believes that this treaty correctly represents the will of the American people, and the will of the other people of the North Atlantic community, to work for peace. In the United States it has the support of the great majority of our citizens. Abroad, except for the discordant note expressed by the propaganda of the Soviet Government, its satellites, and Communist parties, there is the general feeling that the treaty has already brought new hope and confidence for the future.

Among the signatory nations the conviction is unmistakable that the pact will receive the favorable verdict of history and of posterity. In the Canadian Parliament ratification was voted unanimously. In the Belgian, British, Norwegian, Danish, Luxembourg, and Icelandic Parliaments the vote was overwhelmingly in favor of the treaty, with only the Communists in organized opposition.

The peoples of other parts of the world have expressed their belief that the strengthening of the peace and security of the North Atlantic area will strengthen world peace and their own security. There is evidence that even behind the iron curtain many people find in the treaty new hope for the cause of freedom everywhere.

#### PART V. CONCLUSIONS AND RECOMMENDATIONS

##### 1. NEED FOR RATIFICATION

The committee believes that our failure to ratify the North Atlantic Treaty would have disastrous consequences abroad. At the present time there is an encouraging momentum of confidence that has been building up in Europe during the past year as a direct result of our interest and assistance. The failure of the political strikes in France and Communist losses in the Italian and French elections in 1948 and 1949, the recent success of the French internal loan and the increased strength of the western European currencies generally, the recent agreements on Germany, and the success of the recovery program—all these things reflect this growing momentum.

The great retarding factor in the European situation has been the pervading sense of insecurity. This sense of insecurity has been lessened during the past year as a direct result of American interest in common security problems as demonstrated by the passage of Senate Resolution 239 and our willingness to negotiate and sign the North Atlantic Treaty. The decision on the part of some of the European nations, such as Norway and Denmark, to participate in the treaty was not taken without full regard for the risks inherent in making clear their determination to resist aggression.

The committee strongly believes that it would be in the best interests of the United States and indeed, the entire world, to sustain and encourage the momentum of confidence that has been building up in Europe, by ratifying the treaty at an early date.

#### 2. SUMMARY OF REASONS COMMITTEE URGES RATIFICATION

On June 6 the committee unanimously agreed to report the treaty to the Senate for favorable action. Its reasons for recommending ratification include the following:

(1) The treaty should greatly increase the prospect that another war can be averted by making clear in advance the determination of these 12 nations of the North Atlantic area to throw their collective power and influence into the scales on the side of peace.

(2) It expresses in concrete terms the will of the American people, and the other peoples of the North Atlantic area, to work constantly to maintain peace and freedom.

(3) Since the course of action envisaged in the treaty is substantially that which the United States would follow without the treaty, there is great advantage to the United States and the entire world in making clear our intentions in advance.

(4) The treaty is expressly subordinated to the purposes, principles, and provisions of the United Nations Charter and is designed to foster those conditions of peace and stability in the world which are essential if the United Nations is to function successfully.

(5) It is wholly consistent with our Constitution and stipulates that all its provisions shall be carried out in accordance with the constitutional processes of the participating countries.

(6) The treaty is in accordance with the basic interests of the United States, which should be steadfastly served regardless of fluctuations in the international situation or our relations with any country.

(7) In strengthening the security of the North Atlantic area the treaty greatly increases the national security of the United States.

(8) It is strictly in accordance with the Senate's recommendation, expressed last year in Senate Resolution 239, that the United States should associate itself with collective defense arrangements and thus contribute to the maintenance of peace by making clear its determination to defend itself against any armed attack affecting its national security.

(9) The treaty will greatly increase the determination of the North Atlantic states to resist aggression and their confidence that they can successfully do so.

(10) It will free the minds of men in many nations from a haunting sense of insecurity and enable them to work and plan with that confidence in the future which is essential to economic recovery and progress.

(11) By encouraging this feeling of confidence and security it should eventually make possible substantial savings for the United States both in connection with the European recovery program and our domestic Military Establishment.

(12) The treaty is essential to the development of that degree of unity and security among the North Atlantic states which will make possible the reintegration of Germany into western Europe and the ultimate solution of the German problem.

(13) It will greatly stimulate the efforts of the North Atlantic states to help themselves and to help each other and, through proper coordination of these efforts, to achieve maximum benefits with minimum costs and bring far greater strength than could be achieved by each acting alone.

(14) In the event our efforts for peace are undermined and war is imposed upon us, the treaty assures us that 11 other nations will stand with us to defend our freedom and our civilization.

(15) The treaty is not confined to the prevention of war but reflects the will of the participating nations to strengthen the moral and material foundations of lasting peace and freedom.

In tendering this unanimous report on the North Atlantic Treaty, we do so in furtherance of our Nation's most precious heritage—shared in common with the other signatories—continuing faith in our dependence upon Almighty God and His guidance in the affairs of men and nations.

Mr. McMAHON. Mr. President, it is only because I am a member of the Foreign Relations Committee that I rise at this time to make a few remarks about the treaty. I realize that the die is cast, and I think everything that can possibly be said about the treaty has been said. I do not intend to debate or discuss any of the subtleties contained or alleged to be contained in the language of the treaty.

The United States of America has come to a place of world leadership. It has reached that position through no design of its own. It has reached it as a matter of destiny. With that leadership and the power that goes with it, are concomitant duties and responsibilities, and yes, liabilities. We owe first to the people of our own land, and, secondly, to the peoples of other lands the duty to do everything we possibly can to maintain the peace. Because I believe the instrument we are considering was conceived in a desire to maintain the peace and because I believe it is an effective step for the prevention of war, I shall support it when the roll is called.

It is all very well to debate fine-spun points and theories, and I have not the slightest criticism of any brother Senator who has seen fit to examine the treaty, page by page, line by line, word by word, and comma by comma. But, Mr. President, in the few minutes at my disposal I propose not to talk in those terms. I propose rather to discuss the events which brought about the treaty, and to state why I think it will be a deterrent to a third and final world war. Moreover, I shall undertake to mention a few items which I think must also be attended to in the very near future in the conduct of our foreign policy.

It is a known fact that at the end of the war the United States of America had the greatest military striking force the world had ever known.

We dismantled that force, tore it apart, brought our boys home, and turned, we hoped, into the paths of peace. Unfortunately for us, and through no fault of our own, it slowly became apparent that our hopes were to be frustrated and that the dove of peace was not to rest on the breast of the world, but that we were to be bedeviled and tormented in our efforts to bring reconstruction to this war-weary and war-worn world.



Mr. President, it would seem to be unnecessary to rehearse the events of late 1945, or 1946, 1947, and 1948. It was finally borne in upon us that the Soviet Union meant what it said and said what it meant. We finally began to understand, when they matched their actions with the philosophy they had expounded to world for 25 years, that unless we took steps to check that aggression, this Nation and the whole western civilization were in dire peril.

So, Mr. President, although we were called imperialists, although we were lied about in as vicious a campaign as ever emanated from any world capital, although our motives were misinterpreted to the world, we have proceeded to write a record of generosity, a record of fair treatment and decency, of which every American citizen can well be proud. Yes, even his children and his children's children will find in the pages of history which we have written in the past few years events which will ever shine as a landmark and as a hallmark of fair play and decency in international relations.

We have given of our largess; we have given of our charity; we have done our best; but at every point, geographically, and at every point, ideologically, we have been met by an obstinate, obstructionist, and determined power which did its best to frustrate our efforts and destroy our line of approach. We watched nation after nation fall under the sway of the Soviet Union. We watched liberty disappear in Poland, in Czechoslovakia, in Rumania, in Hungary, in that part of Austria which Russia controlled, and in all the other sad countries which are now existing behind the so-called iron curtain.

Finally, Mr. President, we engaged in the economic reconstruction of Europe under the so-called Marshall plan. I am fully aware that that was not an act of pure unselfishness, because if there is one thing we know today it is that we cannot live alone, and we know that the great problem of modern civilization, as it has existed and as it has developed in America, is the maintenance of the kind of standard of living we have here in the midst of a wrecked and ruined world. The Marshall-plan program has had its successes and its disappointments, but no one can deny that but for it, all the rest of Europe that had not fallen under the heel of the Soviet Union would have disappeared into the black abyss and we would probably today be facing an Atlantic war, with our backs to the wall, instead of considering this treaty. That plan gave us time, of which we have made, in my opinion, some use—perhaps not enough, but there is still time to do more.

Mr. President, one of the Senators, in commenting on the treaty, suggested that we face realities. If ever a people faced a reality in the history of the world, we face reality when we combine with our friends and say to this potential foe, "If you strike, you will find us united against you."

Yes, Mr. President; we face the realities which I have just attempted briefly to mention. We face the reality of Russian expansion. We face the real-

ity of Russian ideology. We face the kind of philosophy which was enunciated by Lenin and which has been repeated by every Russian leader from that day down to this, to the effect that capitalism and communism cannot live in the same world, and that communism will triumph.

Mr. President, much has been said regarding our moral obligations arising under this treaty. We have a moral obligation to our own people to defend them. This instrument is certainly a potent means of defense. When it comes to exactly what kind of aid we shall extend to our allies, there certainly is room for permissible difference of opinion. I can conceive of Senators arguing that no arms should be furnished to Europe, but that they should be piled up at home. That is an argument with which I do not personally agree, but nevertheless, I think it is permissible. We do, however, have a moral obligation, as I see it, under this treaty, to make it work, and if we do not intend to assume the moral duty to make this treaty work, then, of course, it is foolhardy to enter into it.

I was interested in the statement of the senior Senator from Ohio [Mr. TAFT] when he suggested, in his recent speech, that we were facing an armaments race. We are not facing an armaments race; we are in an armaments race. Certainly our own military budget, to the extent of \$16,000,000,000, our own efforts in the manufacture of weapons of mass destruction, constitute our part of an arms race. But it is an arms race which is being engaged in by the Soviet Union certainly to an equal extent.

The war games in Moscow a few days ago demonstrated some new type jet planes which I understand, according to the press, our military observers were surprised to see.

It is not facing reality to say that we face an arms race and do not recognize that we are in it. It is an arms race which we have done everything possible to avoid, because, although it probably has not been emphasized as much as it could have been, we took the initial step to attempt to remove from the armaments of nations what is probably the conclusive weapon of war. We have pursued that ideal with determination and vigor. We have persuaded the peoples of the earth, the Soviets notwithstanding, to approve that proposal. Only Russia at this moment dissents from that proposal.

Mr. President, the senior Senator from Michigan [Mr. VANDENBERG] in his memorable and notable address, called attention to the fact that the text of his resolution did more than prepare the way for the making of this treaty. He also called for maximum efforts to obtain agreements among member nations on universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

Then, as I understood the senior Senator from Michigan, he suggested that it might be an appropriate thing for the President of the United States to address the whole world, upon the completion of this pact, and call attention to the fact that we renewed again our plea

and our entreaties that armament reductions should come about.

There can be no question that the final adoption of this pact and the military implementation of it to whatever extent may be suggested, will in and of itself prevent the outbreak of another war. It has long been my conviction that the war cannot be prevented so long as this arms race continues unabated and unchecked.

I should like to see, as the Senator from Michigan would, the President of the United States address the world upon this pact and what it means, and upon our renewed desire for a reduction of armaments. There is one very great impediment to the effectiveness of such a plea, for unfortunately, because of the iron curtain, it cannot be heard by the only people who need to be convinced of our sincerity. It has long been my feeling that conferences of an international character are bound to be useless so long as the iron curtain persists. Unless it can be cleared, and unless the Russian people can be talked to and convinced, in my opinion, there can be no hope for permanent peace.

I should like to see the United States develop a program which I would term "operation freedom." This Nation whose economy has been built upon the art of advertising its industry, this Nation, which has brought itself to the highest standards of living in the world by mass production, it seems to me has the greatest bill of goods in the world to sell. We can offer them freedom and explain it, and tell the people what we mean, and if we can get that message behind the iron curtain, then and then only can we hope to have a change in the Soviet policy.

Mr. President, I think if we can be about this business, if we can work even more intelligently and assiduously for a free and united Europe, if we can go before the United Nations and propose to that organization that it establish radio stations in every country so as to reach the whole world, and let Russia turn that proposition down, we can bring home to the people of the earth more vividly than in any other manner the fact that we are not unafraid of the truth. If we can do some of these things upon the basis of the security which I believe this pact offers us, in the few years before this armament race will come to a head, then in my opinion there will be a real hope of avoiding world war III.

Mr. President, this pact, as I see it, is the foundation stone upon which will be built in the minds of our own people and in the minds of the people of western Europe a feeling of security, and upon which there can be erected a sound edifice for peace. If we were to deny this pact at this time—which, of course, will not be done; it is inconceivable that such a thing should occur—we would plunge into the abyss of despair and destruction not only western Europe, but ourselves as well.

We are dealing with the most unorthodox situation the world has ever known, and we must do some unorthodox things if we are going to meet the challenge. It

is only by the kind of statesmanlike, intelligent, forward-looking policy this pact represents that we can hope for a perpetuation of our ideals, our freedom, and our country.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. McMAHON. I yield.

Mr. WHERRY. Does the Senator feel that if military aid is extended to the signatory nations by this treaty, it might include the sharing of the atomic-bomb secret, or the know-how of what goes with it? I am asking that in all sincerity.

Mr. McMAHON. I understand that. It would seem to me that the pact which we are debating at the present time stands in and of itself. When the military-assistance proposal comes to us I think it will be more appropriate for the Senator, or any other Senator, to inquire into the exact nature of the aid which we intend to give. At the present time, because of the fact that we are engaged, in the Joint Committee on Atomic Energy, in the discussion of our international relationships with two of our allies with regard to this subject, I do not feel I care to pursue the matter any further.

Mr. WHERRY. I deeply regret that the Senator feels that an answer should not be made at this time. I am not going to press him further, except to say that there are some who are confused as to whether or not the pact does imply implementation. If it does, that is one thing; if it does not, that is another. If the two are entirely separate, I suppose the question does not have to be answered at this moment, but if it should involve military aid—which was the point I wanted to make, and we give military aid under article 9 as it is presented, would that involve sharing anything we have, either the atomic bomb, or the secrets, or the know-how, and all that goes with it? It seems to me that question is not untimely, it would help me considerably if I could get the reactions of the Senator to that question.

Mr. McMAHON. I shall stand on the answer I made regarding the exact nature of the military aid which may be given to implement the pact. The proposal for military aid will come before the Congress of the United States, and at that time the character, the amount, the extent of the aid will undoubtedly be divulged to the Congress, and be given to the Congress to pass upon. So I would say to the Senator from Nebraska that as to whether there should be 20,000 tanks, or 50,000 pistols, for example, I believe those matters are not part of the consideration of this treaty.

Mr. DONNELL. Mr. President—

The PRESIDING OFFICER (Mr. GRAHAM in the chair). Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. McMAHON. I yield.

Mr. DONNELL. I assure the Senator I shall not press him for any answer which he does not deem proper to make, and he has only to say that in response to the question, and I shall not press the question.

It appears to me, however, if I may say so in framing the questions to ad-

dress to the Senator, since article 3 contains an obligation on the parties, by means of continuous and effective self-help and mutual aid, to maintain and develop their individual and collective capacity to resist armed attack, that it becomes of great importance to know, and to know at this time, whether it is deemed likely that any prospective enemy will already have discovered the secret of the atomic bomb, or will hereafter discover it. If it is deemed necessary by the Senator that the other nations, our associates, shall maintain and develop their capacity to resist armed attack, it is necessary, in my opinion, to know whether or not we are going to have to disclose to our cosignatories the atomic-bomb secret.

I ask the Senator from Connecticut whether he agrees with me that, if it seems likely that a prospective enemy has either already discovered the atomic-bomb secret or is about to discover it, in order that our cosignatories may have the capacity to resist armed attack by atomic bomb, they likewise must be vested, either with the bomb itself or the secret of the bomb, or both?

Mr. McMAHON. Mr. President, accepting the Senator's hypothesis merely for the purpose of answering his question, I will say to the Senator from Missouri that I have indicated that the carrying out of the mutual-aid and self-help provision is a matter of agreement between the parties. It is entirely conceivable that all naval functions in a certain area would be assigned to one power; that all air operations in another area would be assigned to another power. There is nothing, as I see it, in this pact or treaty which imposes any obligation on the part of the United States to take any specific pieces of armament, airplanes, tanks, submarines, atomic bombs, or what have you, and put them at the disposal of the treaty nations. That is a matter for negotiation between the parties at the time of the implementation of the treaty, and that implementation, as I understand, cannot come about without the consent, in fact, the approval, of the Congress.

Mr. DONNELL. I thank the Senator for his statement. I ask him this question: Does he not recall that article 3 obligates the parties separately and jointly not only to maintain and develop their collective capacity to resist armed attack but to maintain and develop their individual capacity to resist armed attack? Would not that necessarily mean that if a prospective enemy should discover the secret of the atomic bomb, in order that one of our cosignatories might maintain and develop its individual capacity to resist armed attack, it must have control of the atomic bomb likewise?

Mr. McMAHON. Conceivably, I will say to the Senator, the signatories to the treaty could best be defended in that event by a concentration of that particular weapon within the continental area of the United States. I am not passing upon that question at this time. I merely say that to illustrate that there is no binding compulsion within this pact as to exactly what kind of military as-

sistance shall or shall not be given by the United States to any other country.

Mr. DONNELL. I thank the Senator.

Mr. FREAR. Mr. President, I rise for the purpose of announcing very briefly that I intend to support ratification of the North Atlantic Defense Pact when the vote is taken tomorrow.

The abundant reasons already advanced for ratification by the many distinguished Senators who preceded me in this debate leave little to be desired in the way of added explanations. Therefore I shall detain the Senate only a very few minutes with my comments.

Since I do not consider myself a specialist in the field of international relations, my reasons for favoring this treaty stem from my own personal observations and study of the matter, in light of the conditions in Europe which have developed, particularly since the end of the recent war.

The North Atlantic Alliance was born out of the realization that unless freedom-loving nations unite for common security they will be overwhelmed by the Red tide of communism. One need only review the events which have taken place since the close of the war to see how this atheistic philosophy has already succeeded in advancing across Europe and Asia, entrenching itself at the expense of war-weary, destitute peoples.

Somewhere before it is too late democratic people must make a stand. I believe the North Atlantic defense treaty gives us that opportunity. But let me also say that in making that stand it does not, to my way of thinking, mean that once again we will necessarily be forced to take up arms. The solidarity of the North Atlantic nations will, I feel certain, act as a deterrent to aggression. We must keep in mind that the aggressive attitude of the Soviet Government, both politically and militarily, is just as much a menace to our way of life as it is to that of France or Norway or Luxemburg. Europe's struggle against communism is our struggle. The idealistic theory of isolation on the part of the United States is obsolete.

There is no other course for western Europe's free nations except to seek collective security through some form of unified alliance. We should not hesitate to join in this agreement for our common defense. Europe is still suffering from an attitude of defeatism. Its economy is deficient. Without our generous assistance its plight would be desperate. We have already seen how much Marshall-plan aid and our program of assistance to Greece and Turkey have done to promote European recovery. But it is not enough. A great section of eastern Europe lies helpless under the hand of the Kremlin. Germany, divided and restless, poses another great problem. The strong hand of the United States is needed to reinforce those remaining nations seeking to stand against a totalitarianism which attempts to disrupt recovery and promote disunity for its own insidious gain.

Mr. President, I deplore the awfulness of war just as much as anyone. Along with many others, I have served in our armed forces during both of the recent



conflicts, and have marched over Europe as a liberator for oppressed peoples. The horror and tragedy of war is humanity's greatest scourge. Certainly it is forever incumbent upon us to work for true peace. We must realize that the world cannot be controlled by force. Rather its organization must be founded on the free exchange of ideas. Freedom is a precious and undisputable right, but sometimes its possession is gained only at great cost.

Surely we and many other nations have earnestly sought friendly association with Soviet Russia through the United Nations. But though the efforts of this organization have borne fruit, yet it appears obvious that the United Nations, at present anyway, is not capable of maintaining international cooperation among nations.

In my own State, a small number of people have expressed concern to me about the fact that this treaty represents a radical departure from our earlier foreign policies, in that it takes us into a military alliance for the first time in our history during peacetime. In reply I have stated that for all practical purposes we are already in Europe and have been for a number of years. We have, as I indicated, spent billions of dollars on recovery there. Our occupation armies are there and will probably so remain indefinitely. So, in effect, this allegiance or pledge of cooperation we are considering does not create anything really new or radically different. Rather it consolidates the association of the United States with that of other European nations in the cause of peace.

The treaty viewed geographically takes in the North Atlantic area and its approaches. Certainly the North Atlantic is a vital sea lane bearing on the security of this Nation. One can logically reason, then, that the existence of friendly nations at the European side of the Atlantic means a vast extension of our outer defense system.

I believe, Mr. President—and I feel certain that the majority of the American people do also—that communism must be contained. We cannot allow its further expansion in Europe against helpless individual nations.

If the treaty involves a calculated risk of war, as some believe, it also at the same time involves a calculated bid for real peace.

The proponents of communism must be brought to the sharp realization that already they have transgressed too far on human rights. It is up to us to see that the tide of freedom can continue to flow in Europe and perhaps extend behind the iron curtain where the dignity of the individual has long since been a thing of the past.

In conclusion, Mr. President, I should like to say only that I hope that the Senate will ratify this treaty by the greatest possible margin of votes, so as to leave no doubt in the minds of anyone of our intentions regarding the future well-being of western Europe.

Mr. WHERRY. Mr. President, my understanding was that there was another speaker or two, but they are not in the room.

I should like to ask the distinguished acting majority leader [Mr. CONNALLY] a question. I do not wish to disturb the unanimous-consent agreement which is in effect. However, we find ourselves in this situation: The Committee of the Whole will rise at 2 o'clock tomorrow afternoon to report the treaty to the Senate. The time between 12 and 2 is divided between proponents and opponents of the treaty, in the final debate on that subject.

After the Committee of the Whole rises, the time between 2 and 5 is to be allotted to Senators who have offered amendments or reservations to the resolution of ratification. Five or six such amendments have been submitted. With respect to each such amendment, there will be a limitation of 10 minutes for the proponent of an amendment and 10 minutes for the chairman of the Committee on Foreign Relations in opposition. I am quite satisfied that if we figure 100 minutes for five reservations, for example, we shall have an hour and 20 minutes which will not be used.

I do not wish to ask unanimous consent to disturb the present unanimous-consent order. I should like to have 30 minutes to present a reservation. I have taken the question up with the distinguished chairman of the Foreign Relations Committee. To my mind there are only two ways in which I could be allowed the time I desire. First, if I could have 30 minutes of the 1 hour which is within the control of the Senator from Missouri [Mr. DONNELL] under the allotment of the time between 12 and 2, I should be glad to avail myself of that time. I discussed the question with the distinguished Senator from Missouri [Mr. DONNELL], and I think he is of the opinion that inasmuch as I intend to speak on a reservation, it does not properly come within the time allotted to Senators who wish to oppose the treaty itself.

I talked with the distinguished Senator from Michigan [Mr. VANDENBERG]. I understand from him that he is to speak in the time of the proponents, during the period between 12 and 2 o'clock. I think he intends to speak on a reservation. Am I correct in that statement?

Mr. VANDENBERG. Mr. President, the Senator is almost correct. I intend to speak on the general subject of reservations.

Mr. WHERRY. That being true, if the Senator from Missouri, knowing that fact, would grant me 30 minutes, I would make no further request. If he feels that he cannot, I should like to hear from him.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. DONNELL. I hold in my hand the unanimous consent agreement, which, referring to the period between the hours of 12 and 2, says this:

That between the hours of 12 o'clock and 2 o'clock the time shall be equally divided between the proponents and the opponents of the treaty itself, to be controlled by the Senator from Texas [Mr. CONNALLY] and the Senator from Missouri [Mr. DONNELL].

My view is that the portion of that time at my disposal, namely, a period of 1 hour, is to be given to opponents of the treaty. I do not think I could consent

that a Senator not speaking in opposition to the treaty itself could avail himself of that time. The Senator from Michigan, who has just spoken, is undoubtedly a proponent of the treaty, and may very well speak on reservations, or use his own judgment. But I think I would have to be assured by any Senator to whom I assigned time that he is an opponent of the treaty.

Mr. WHERRY. I see the point. I will not press the request further.

I have also consulted with the distinguished chairman of the Foreign Relations Committee, and I understand that he is not averse to the Senate taking a recess until 11:30 o'clock tomorrow. If that were done, the Senator from Nebraska could be recognized for 30 minutes at that time.

Mr. CONNALLY. Mr. President, I think it would be better for the Senator to be recognized now, and then we could take a recess until tomorrow.

Mr. WHERRY. Mr. President, if there is no objection, I suggest that the Senate take a recess until 11:30 o'clock tomorrow, and that when the Senate reconvenes the occupant of the chair recognize the junior Senator from Nebraska.

Mr. DONNELL. Mr. President, I had understood the Senator from Texas to suggest that the Senator obtain recognition this afternoon.

Mr. WHERRY. I am already recognized.

The PRESIDING OFFICER (Mr. GRAHAM in the chair). The Senator from Nebraska has been recognized.

Mr. VANDENBERG. Mr. President, will the Senator from Nebraska repeat his request?

Mr. WHERRY. I ask unanimous consent that the Senate take a recess until 11:30 o'clock a. m. tomorrow, and that when the Senate reconvenes at 11:30 the occupant of the chair recognize the junior Senator from Nebraska for 30 minutes.

Mr. VANDENBERG. The only question is whether or not the 30 minutes should be added to the time consumed by a possible quorum call, in which case the 30 minutes would impinge on the time of other Senators.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. VANDENBERG. Mr. President, reserving the right to object, I suggest that the Senator from Nebraska put his request in a slightly different form, namely, that he be recognized until 12 o'clock.

Mr. WHERRY. In that event many things might happen. I might not be able to get 30 minutes. If 11:30 is not early enough, I shall be glad to amend the request to 11:15, and do exactly as the Senator suggests.

Mr. VANDENBERG. Does not the Senator see the point I am making?

Mr. WHERRY. Yes. It is a good point. I should like to have 30 minutes if I can get it.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. DONNELL. After hearing the Senator from Michigan, in view of the

fact that there might well be a quorum call, and possibly half the time would be involved, it seems to me that 11:15 would be the logical time for the Senate to meet tomorrow.

Mr. WHERRY. Mr. President, I amend the request. I ask unanimous consent that when the Senate takes a recess tonight, it takes a recess to reconvene at 11:15 o'clock a. m. tomorrow, and that at the time the junior Senator from Nebraska be recognized.

The PRESIDING OFFICER. The Senator from Nebraska will then have the floor, and may do as he pleases.

Mr. WHERRY. I shall have the floor, and I can yield for a quorum call if I care to do so.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? If not, it stands approved.

#### RECESS

Mr. WHERRY. Mr. President, I move that the Senate take a recess, in accordance with the order just entered.

The motion was agreed to; and (at 8 o'clock and 27 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Thursday, July 21, 1949, at 11:15 a. m.

#### NOMINATIONS

Executive nominations received by the Senate on July 19 (legislative day of June 2), 1949, and referred to the Committee on Armed Services today:

##### IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of section 107 of the Army-Navy Nurses Act of 1947:

*To be captains, Army Nurse Corps*

Ruth Agnew, N914.  
Catherine Barbara Bean, N1378.  
Florence M. Christman, N1098.  
Mildred O. Conin, N748.  
Patricia L. Crocker, N1386.  
Helen Elizabeth Cundiff, N1670.  
Dorothy M. Cunningham, N1390.  
Elsie F. Easterling, N1093.  
Margaret Catherine Farley, N747.  
Margaret Cecelia Flynn, N1382.  
Helen Marie Hays, N750.  
Bernice Isabel Heath, N1385.  
Maralee Ruth Hodgson, N1380.  
Betty Jane Hughes, N1583.  
Mary P. Kent, N1671.  
Ruth A. Kruger, N1387.  
Marietta Levy, N1384.  
Alice M. Linhares, N912.  
Etta Mildred Lowe, N1379.  
Gertrude I. Mahn, N752.  
Mamie Sue May, N1097.  
Irene Ethel Miller, N1581.  
Ruth Theodora Mills, N1580.  
Mary Cecelia Murphy, N908.  
Anne Loretta Nodziak, N1582.  
Mary Patricia Reilly, N913.  
Rosalie M. Requist, N1672.  
Lucille D. Russell, N911.  
Rosemary Slavin, N751.  
Maude Morrin Smith, N1096.  
Catherine Curtis Stein, N1099.  
Margaret Ruth Stonaker, N1091.  
Isabelle Alma Tarutis, N1090.  
Ruth Elizabeth Tucker, N1381.  
Mary Elizabeth Vaughan, N1669.

*To be captains, Women's Medical Specialists Corps*

Edyth Hildegard Emerson, R10047.  
Evelyn Folmar, R10079.  
Catherine S. Hooper, J5.

#### CONFIRMATION

Executive nomination confirmed by the Senate July 20 (legislative day of June 2), 1949.

##### FEDERAL COMMUNICATIONS COMMISSION

Edward Mount Webster to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1949.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 20, 1949

The House met at 10 o'clock a. m.  
The Acting Chaplain, Rev. Jacob S. Payton, D. D., offered the following prayer:

Eternal God, in whom is our sufficiency, we turn to Thee. Within these walls may the honor of America be kept bright this day. Within our hearts may a place be set apart for things worthy of reverence—truth and beauty, loyalty and heroism, faith and sacrifice. Within the scope of our purposes may there be room only for qualities that bear the hallmark of character. Suffer us never to forget, O Lord, that with Thee evaluation of service rests upon the degree to which we identify ourselves with causes that bless and redeem mankind. May Members of this body dedicate themselves to the establishment of righteousness throughout the land. In Thy name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

##### NAVAJO AND HOPI TRIBES OF INDIANS

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1407) to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MORRIS, MURDOCK, WHITE of Idaho, D'EWART, and LEMKE.

##### COMMITTEE ON THE JUDICIARY

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have permission to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

##### COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Expenditures in the Executive Departments may have permission to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, one of the members of that committee

has informed me that he is very anxious to hear the debate on the agricultural bill and he hoped his own committee would not be in session; therefore I would feel constrained to object in accordance with his request, if the gentleman persists.

Mr. PRIEST. Mr. Speaker, I withdraw the request.

##### SUBCOMMITTEE ON HEALTH, SCIENCE, AND COMMERCE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Subcommittee on Health, Science, and Commerce may have permission to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

##### EXTENSION OF REMARKS

Mr. PLUMLEY asked and was given permission to extend his remarks in the RECORD and include a speech made by Samuel B. Pettengill notwithstanding that it exceeded two pages of the RECORD and, according to the Public Printer, costs \$240 to print.

##### SPECIAL ORDERS GRANTED

Mr. REES asked and was given permission to address the House today for 10 minutes following disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

Mrs. BOLTON of Ohio asked and was given permission to address the House for 15 minutes on Monday and Tuesday next, following any special orders heretofore entered.

Mr. JACKSON of California asked and was given permission to address the House on Monday next for 1 hour following any special orders heretofore entered.

##### EXTENSION OF REMARKS

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD in four instances and include extraneous material.

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MORTON asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

Mr. AUGUST H. ANDRESEN asked and was given permission to revise and extend the remarks he will make in Committee of the Whole today and include statistical tables and extracts on farm legislation.

Mr. HOLIFIELD asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. PATTEN asked and was given permission to extend his remarks in the RECORD.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD in two instances and include editorials.

Mr. WICKERSHAM asked and was given permission to extend his remarks in the RECORD and include a statement by Gen. Bedell Smith.